

COMMUNITY DEVELOPMENT COMMISSION

of the County of Los Angeles

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Gloria Molina Mark Ridley-Thomas Zev Yaroslavsky Don Knabe Michael D. Antonovich Commissioners

Sean RoganExecutive Director

July 7, 2009

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, California 90012

Honorable Board of Commissioners Community Development Commission of the County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, California 90012 ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

19

JULY 7, 2009

SACHI A HAMAI EXECUTIVE OFFICER

Dear Supervisors/Commissioners:

ADOPT A RESOLUTION TO AUTHORIZE THE COMMUNITY DEVELOPMENT COMMISSION TO APPLY FOR AND ADMINISTER NEIGHBORHOOD STABILIZATION PROGRAM FUNDS ON BEHALF OF THE COUNTY OF LOS ANGELES (ALL DISTRICTS) (3 VOTE)

SUBJECT

This letter recommends the adoption of a resolution authorizing the Community Development Commission (Commission) to act as the agent of the Los Angeles Urban County (County) in applying for and administering funds from the State of California's Neighborhood Stabilization Program (State NSP). State NSP funds will provide targeted emergency assistance for acquisition and redevelopment of foreclosed properties that might otherwise become sources of abandonment and blight.

IT IS RECOMMENDED THAT THE BOARD OF SUPERVISORS:

1. Adopt and instruct the Chairman to sign a resolution authorizing the Community Development Commission to act as the agent of the County in all matters pertaining to the application for funds from the State of California's Neighborhood Stabilization Program (State NSP).



2. Find that adoption of the resolution is not subject to the California Environmental Quality Act (CEQA) because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

IT IS RECOMMENDED THAT THE BOARD OF COMMISSIONERS OF THE COMMUNITY DEVELOPMENT COMMISSION:

- 1. Authorize the Executive Director to accept, administer, and incorporate up to \$4,804,152 in State NSP funds into the Commission's Fiscal Year 2009-2010 approved budget.
- 2. Authorize the Executive Director to accept any additional State NSP funding that may become available at a later date, to be included in future years' annual budget process.
- Authorize the Executive Director to execute a grant agreement with the State of California and any subsequent amendments necessary to receive the State NSP funds.
- 4. Find that the authorization to receive and administer State NSP funds is not subject to CEQA because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This letter recommends the adoption of a resolution authorizing the Commission to act as the agent of the County in applying for and administering State NSP funds. The resolution is required by the State of California's Department of Housing and Community Development. The funds will be used for the NSP Homebuyer Program, and will provide targeted emergency assistance for acquisition and redevelopment of foreclosed properties that might otherwise become sources of abandonment and blight within the 47 participating cities and the unincorporated areas of the County.

FISCAL IMPACT/FINANCING

There is no impact on the County general fund. State NSP funds in an amount up to \$4,804,152 will be incorporated into the Commission's Fiscal Year 2009-2010 approved budget.

Based on the proposed budget, \$4,563,945 will be allocated to the County's NSP

Homebuyer Program and \$240,207 will be reserved for Commission administrative costs.

If any additional State NSP funds become available at a later date, they will be included in the Commission's annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On July 30, 2008, the U.S. Congress passed the Housing and Economic Recovery Act of 2008 (HERA). Title III of HERA created the Neighborhood Stabilization Program (NSP). The NSP provides targeted emergency assistance to every State and certain local grantees for the purchase of foreclosed or abandoned homes, and for the rehabilitation, resale, or redevelopment of these homes in order to stabilize neighborhoods and stem the decline of house values.

On November 25, 2008, the Board of Supervisors approved an Amendment to the 2008-2009 Action Plan (Action Plan) for the Los Angeles Urban County. This Amendment enabled the County to receive and administer NSP funds. The Action Plan contains the County's one-year plan to carry out housing and community development activities funded by the Community Development Block Grant Program. HERA provides that unless otherwise stated, NSP grants are considered Community Development Block Grant funds. The proposed additional State NSP funds are therefore consistent with the purposes set forth in the Action Plan.

The County received an allocation of \$16,847,672 under the federal NSP. The County is using these funds to assist low- to moderate-income, first-time homebuyers purchase abandoned and foreclosed properties through the NSP Homebuyer Program, as well as to create affordable rental housing through the NSP Scattered Sites Rental Program.

In April 2009, the State of California's Department of Housing and Community Development (HCD) announced the availability of an additional \$99,641,218 to local eligible grantees for the State NSP. California cities were required to submit their applications to HCD by June 15, 2009. California counties, including the County of Los Angeles (commonly referred to as Tier 2 applicants), are required to submit their applications by July 15, 2009. It is important to note that although the County's original allocation from HCD was only \$95,482, funds from cities that did not meet their deadline were rolled into the County's allocation. This brought the County's total estimated award to \$4,804,152.

As part of the application, the County is required to submit a certified resolution adopted by the Board of Supervisors authorizing the Commission to apply to the State NSP on behalf of the County. The resolution also authorizes the Commission to serve as the

agent of the County for administration of the allocated State NSP funds.

There is a short timeframe required for committing and spending State NSP funds, and HCD will strictly enforce its expenditure milestones; 75% of the funds must be committed to projects by December 31, 2009 and 100% of the funds must be committed by March 31, 2010. All of the funds must be entirely spent by September 30, 2011.

NSP Homebuyer Program

State NSP funds will be used for the NSP Homebuyer Program approved by the Board of Supervisors on November 25, 2008. The Program is designed to meet the needs of first-time homebuyers who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance. NSP funds will provide financial assistance through zero interest deferred loans secured by a Second Deed of Trust, as well as down payment and/or closing cost assistance. A grant will also be offered to rehabilitate the homes to decent, safe, and habitable conditions.

Participating homebuyers must have incomes that do not exceed 120% of area median income. Properties eligible for State NSP funds must have been foreclosed upon or abandoned. They must also be located within the target areas identified as having the greatest need within the Urban County, the 13 participating cities originally identified as areas of greatest need, and cities whose funds were rolled into the County's total allocation. A complete list of targeted areas is included in the County's State NSP application, attached to this letter.

Any Program Income, defined as income generated by eligible NSP activities, will be spent in the Program as described in the Plan Governing Reuse, which is included in the attached State NSP application. Marketing efforts for the NSP Homebuyer Program include outreach to prospective homebuyers through lending institutions, homebuyer education seminars, housing fairs, and posting of information on the County Housing Resources Center and Commission websites.

ENVIRONMENTAL DOCUMENTATION

The adoption of this resolution and acceptance of State NSP funds is exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (a)(3), because it is an administrative action and does not involve activities that will alter existing environmental conditions. This action is not subject to the provisions of the CEQA, pursuant to State CEQA Guidelines 15060(c)(3) and 15378, because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

IMPACT ON CURRENT PROJECTS

The State NSP-funded projects will benefit low-, moderate-, and middle-income residents of the unincorporated County and participating cities.

Respectfully submitted,

SEAN ROGAN

Executive Director

CC:

Chief Executive Officer

Acting County Counsel

Executive Officer, Board of Supervisors

Attachments: 2

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AUTHORIZING THE COMMUNITY DEVELOPMENT COMMISSION OF THE COUNTY OF LOS ANGELES TO ACT AS THE AGENT OF THE COUNTY OF THE LOS ANGELES WHEN APPLYING TO THE STATE OF CALIFORNIA FOR NEIGHBORHOOD STABILIZATION PROGRAM FUNDS

WHEREAS, on July 30, 2008, the U.S. Congress enacted the Housing and Economic Recovery Act (HERA) of 2008, which created the Neighborhood Stabilization Program (NSP) to target emergency assistance to every State and certain local grantees for the purchase of foreclosed or abandoned homes and rehabilitation, resale, or redevelopment these homes in order to stabilize neighborhoods and stem the decline of home values.

WHEREAS, on November 18, 2008, the Los Angeles County Board of Supervisors approved an Amendment to the 2008-2009 Action Plan (Action Plan) for the Los Angeles Urban County to enable the County to receive and administer NSP funds.

WHEREAS, on November 18, 2008, the Los Angeles County Board of Supervisors designated the Community Development Commission of the County of Los Angeles (Commission) to serve as the agent of the County of Los Angeles to administer \$16,847,672 in NSP funds, including the County's new Housing Economic Recovery Ownership (HERO) Program, to assist first-time homebuyers with low-, moderate-, and middle-incomes who are unable to quality for a mortgage and/or obtain the necessary down payment without financial assistance.

WHEREAS, on April 2009, the State of California's Department of Housing and Community Development (HCD) announced the availability of additional NSP funds for local eligible grantees for its NSP. Eligible California counties, including the County of Los Angeles, interested in additional NSP funding, are required to submit their applications to the State of California's Department of HCD by July 15, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles as follows:

Section 1. The Board of Supervisors hereby authorizes and directs the Commission to act as the agent of the County of Los Angeles in matters pertaining to application, receipt and administration of the additional NSP funds from the State of California's Department of HCD.

Section 2. The Board of Supervisors has reviewed and hereby approves the State NSP Application (and its contents) for up to \$4,804,152 for the following activities: (1) HERO Program – to assist first-time homebuyers with low-, moderate-, and middle-incomes who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance; and (2) General Administration (GA) Activities – Programmatic and financial monitoring, program reporting, drawdowns, and planning. GA activities shall not exceed 5% of the anticipated award total.

If any additional NSP funding becomes available at a later date, the Commission is authorized to apply for, and/or accept funding, up to \$11,855,450. Any additional NSP funding will be used in accordance with funding requirements established by the State of California's Department of HCD.

Section 3. The Board of Supervisors hereby approves the County's Plan Governing Reuse of NSP Program Income (Program Income). Any Program Income received during the implementation of NSP will be spent on HERO Program activities.

Section 4. The Board of Supervisors has determined that federal Citizen Participation requirements were met during the development of this application.

Section 5. The Executive Director of the Commission is hereby authorized as the official responsible in all matters pertaining to this application.

Section 6. If the application is approved, the Executive Director of the Commission, or his designee, is authorized to enter into and sign the grant agreement and any subsequent amendments thereto, with the State of California's Department of HCD for the purposes of this grant.

Section 7. If the application is approved, the Executive Director of the Commission is authorized to sign Funds Requests and other required reporting forms.

APPROVED AND ADOPTED by the Board of Supervisors of the County of Los Angeles on this _______, 2009.

ATTEST:

SACHI A. HAMAI Executive Officer-Clerk of the Board of Supervisors

Chelle Smitherman

Bv:

Chairman, Board of Supervisors

APPROVED AS TO FORM: ROBERT E. KALUNIAN Acting County Counsel

Deputy

COUNTY OF LOS ANGELES APPLICATION



State of California Neighborhood Stabilization Program (NSP) Tier 2 Funding

*DRAFT*June 24, 2009





BOARD OF SUPERVISORS COUNTY OF LOS ANGELES



GLORIA MOLINA FIRST SUPERVISORIAI DISTRICT

MARK RIDLEY-THOMAS SECOND SUPERVISORIAL DISTRICT

ZEV YAROSLAVSKY THIRD SUPERVISORIAL DISTRICT

DON KNABEFOURTH SUPERVISORIAL DISTRICT

MICHAEL D. ANTONOVICH FIFTH SUPERVISORIAL DISTRICT







NOTE: This will serve as the Table of Contents for the NSP Application. All items listed must be submitted in the order listed.

- Enter the page number for each item that is included in the application.
- Add additional entries, as needed.

	PART A - Application Summary Forms	Required or Optional	App. Page Number(s)
1.	Lead Applicant	Required	1
2.	Authorized Lead Representative	Required	1
3.	Lead Applicant Contact	Required	1
4.	Joint Applicant(s)	If needed	N/A
5.	Applicant Funding and Legislative Representatives	Required	3-4
6.	NSP Budget Requested	Required	6
7.	NSP Proposed Number of Families/Units	Required	7
8.	Leverage Sources	Required	8

	PART B - Required Certifications and Documentation	Required or Optional	App. Page Number(s)	
1.	Resolution by the Governing Body	Required	9	
2.	NSP Statement of Assurances	Required	10-16	
3.	Ompliance with OMB Circular A-133 Must submit the Fiscal Year 2006-2007 letter of compliance from the State Controller's Office with their Application.	Required	17	
4.	Residential Anti-Displacement and Relocation Assistance Plan and Checklist	Required	18	
5.	Growth Control	Required	19	
6.	 Citizen Participation form <u>and</u> the following: Affidavits of publication for program design and application submittal hearings. If comments were received during public comment period, copies of comments and applicant's responses must be included. 	Required	20	
7.	Joint Agreement	If needed	N/A	
8.	Section 504 Self-Evaluation	Required	22	
9.	NEPA Determination of Exemption	Required	23-35	

For Part C, NSP Activity Detail, provide one Part C, NSP Activity Detail table of contents for each major activity category (e.g., foreclosed homes/residential property, landbanking, demolition, redevelopment, etc.).

	PART C - NSP Activity Detail	Required or Optional	App. Page Number(s)
Activ	ty Category (identify): HERO Homebuyer Loans		
1.	Use of Funds	Required	26
2.	Total Budget for this Activity	Required	27
3.	Description of Activity	Required	27-28
4.	Areas of Greatest Need, and • A map of the proposed target area.	Required	28-29
5.	 Determination of Greatest Need, and Data sources used to determine areas of greatest need. 	Required	30-32
6.	Affordability Provisions	Required	33
7.	Proposed Number of Beneficiaries by Income Levels	Required	33
8.	Activity Implementation	Required	34
9.	Capacity to Implement the Proposed Activity	Required	35
10.	Activity Timeline	Required	36
11.	Projected Used/Obligated Milestone Chart	Required	37
12.	Projected Expenditure Milestone Chart	Required	38
13.	Environmental Clearance	Required	39
14.	Readiness	Required	40-41

For Part C, NSP Activity Detail, provide one Part C, NSP Activity Detail table of contents for each major activity category (e.g., foreclosed homes/residential property, landbanking, demolition, redevelopment, etc.).

	PART C - NSP Activity Detail	Required or Optional	App. Page Number(s)
	Activity Category (identify): HERO Homebuyer Rehabilitation Grants		
15.	Use of Funds	Required	42
16.	Total Budget for this Activity	Required	43
17.	Description of Activity	Required	43
18.	Areas of Greatest Need, and • A map of the proposed target area.	Required	44
19.	 Determination of Greatest Need, and Data sources used to determine areas of greatest need. 	Required	44
20.	Affordability Provisions	Required	44
21.	Proposed Number of Beneficiaries by Income Levels	Required	44
22.	Activity Implementation	Required	45-46
23.	Capacity to Implement the Proposed Activity	Required	47
24.	Activity Timeline	Required	48
25.	Projected Used/Obligated Milestone Chart	Required	49
26.	Projected Expenditure Milestone Chart	Required	50
27.	Environmental Clearance	Required	51
28.	Readiness	Required	52-53

ATTACHMENTS	Required	App. Page Number(s)
1: Resolution by the Governing Body & NSP Program Income Reuse Plan	Required	After Pg. 9
Acceptance Letter from California State Controller's Office	Required	After Pg. 17
Residential Anti-Displacement and Relocation Assistance Plan	Required	After Pg. 18
Growth Control – County's Hillside Mgmt. & Sig. Ecological Areas Ord.	Required	After Pg. 19
Affidavit of Publications for Public Hearings	Required	After Pg. 20
6. Target Area Map	Required	After Pg. 29
7. Documentation of Target Area Data Sources	Required	After Pg. 32

California Department of Housing and Community Development **Neighborhood Stabilization Program (2009)**



1. Lead Applicant
Applicant Agency Name: Community Development Commission of the County of Los Angeles
Address: 2 Coral Circle
City: Monterey Park State: CA Zip Code: 91755
Employer Identification Number: <u>95-3777596</u> Organizational DUNS: <u>961608163</u>
Is this application being submitted on behalf of more than one jurisdiction?
☐ Yes (Complete all joint applicant sections.) ☐ NO
2. Authorized Lead Representative (per the Resolution)
Name: Sean Rogan Title: Executive Director
Phone: <u>(323) 890-7400</u> Ext: <u>n/a</u> FAX: <u>(323) 890-8584</u>
E-mail: sean.rogan@lacdc.org
☐ Check here if address information is the same as above; if not, fill in information below.
Address:
City: State: Zip Code:
Signature: Date:
3. Lead Applicant Contact (if different than above)
Check here if address information is the same as above; if not, fill in information below. Note that this person will be contacted in the event that additional application information is required. Failure to respond to the Department's request in a timely manner may result in denial of the application.
Name: Linda Jenkins Title: Manager
Address: 2 Coral Circle
City: Monterey Park State: CA Zip Code: 91755
Phone: (323) 890-7168 E-mail: linda.jenkins@lacdc.org

4.	Joint Applicant(s) (list all joint applicants)		
1.	Agency: NONE		
	Contact:	Title:	
	Telephone:		
2.	Agency:		
	Contact:	Title:	
	Telephone:	E-Mail:	
3.	Agency:		
	Contact:		
	Telephone:		
4.	Agency:		
	Contact:	Title:	
	Telephone:	E-Mail:	
5.	Agency:		
	Contact:	Title:	
	Telephone:		
6.	Agency:		
	Contact:		
	Telephone:	E-Mail:	
7.	Agency:		
	Contact:	Title:	
	Telephone:	E-Mail:	

5. Applicant Funding and Legislative Representatives Lead Agency: Community Development Commission – County of Los Angeles Legislative Representatives Information:

	District #	First Name	Last Name
Assembly	36	Steve	Knight
Assembly	37	Audra	Strickland
Assembly	38	Cameron	Smith
Assembly	39	Felipe	Fuentes
Assembly	40	Bob	Blumenfield
Assembly	41	Julia	Brownley
Assembly	42	Mike	Feuer
Assembly	43	Paul	Krekorian
Assembly	44	Anthony	Portantino
Assembly	45	Kevin	De Leon
Assembly	46	John A.	Perez
Assembly	47	Karen	Bass
Assembly	48	Mike	Davis
Assembly	49	Mike	Eng
Assembly	50	Hector	De la Torre
Assembly	51	Curren D.	Price
Assembly	52	Isadore	Hall
Assembly	53	Ted	Lieu
Assembly	54	Bonnie	Lowenthal
Assembly	55	Warren	Furutani
Assembly	56	Tony	Mendoza
Assembly	57	Ed	Hernandez
Senate	17	George	Runner
Senate	19	Tony	Strickland
Senate	20	Alex	Padilla
Senate	21	Carol	Liu

PART A – Application Summary Forms

Senate	22	Gilbert	Cedillo
Senate	23	Fran	Pavley
Senate	24	Gloria	Romero
Senate	25	Roderick "Rod"	Wright
Senate	26	Vacant	Vacant
Senate	27	Alan S.	Lowenthal
Senate	28	Jenny	Oropeza
Senate	29	Robert "Bob"	Huff
Senate	30	Ron	Calderon
Senate	32	Gloria	McLeod
Congress	22	Kevin	McCarthy
Congress	25	Howard P. "Buck"	McKeon
Congress	26	David	Drier
Congress	27	Brad	Sherman
Congress	28	Howard L.	Berman
Congress	29	Adam	Schiff
Congress	30	Henry A.	Waxman
Congress	31	Xavier	Becerra
Congress	32	Vacant	Vacant
Congress	33	Diane E.	Watson
Congress	34	Lucille	Roybal-Allard
Congress	35	Maxine	Waters
Congress	36	Jane	Harman
Congress	37	Laura	Richardson
Congress	38	Grace F.	Napolitano
Congress	39	Linda T.	Sanchez
Congress	42	Gary G.	Miller
Congress	46	Dana	Rohrabacher

Include information for all joint applicants in this NSP Application.

1. Joint App	licant: N/A - NC	NE	NSP Funding: \$
Legislative I	Representative	s Information:	
	District #	First Name	Last Name
Assembly			
Senate			
Congress			
	District #	First Name	Last Name
Assembly	2.53.164.1	11.05110	
Senate			
Congress			

6. NSP Budget Requested

Double-click on the chart below to open Microsoft Excel chart with calculating functions.

Activity Description	Total Activity Budget	Activity Delivery %	Activity Dollars	Activity Delivery Dollars
HERO Homebuyer Loans	\$3,947,400	8.0%	\$3,655,000	\$292,400
HERO Rehabilitation Grants	\$616,545	19.0%	\$518,105	\$98,440
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
			\$0	\$0
GENERAL ADMINISTRATION	\$240,207	5.0%		
		ı		
TOTAL FUNDING REQUESTED	\$4,804,15 2			

7. NSP Proposed Number of Families/Units

As applicable to all proposed activities within this NSP application, please identify the proposed number of **families**, **properties** and/or **housing** units for each activity.

(A) Financing Mechanisms	Proposed Number of Families
Down-Payment Assistance	43
Soft-Seconds	43
Shared-Equity Loans	0
Mortgage Write-down Assistance	0
Silent Seconds	0
Loan Loss Reserves	0
Other: (describe)	0
Other: (describe)	0

(B) Purchase and Rehabilitation	Proposed Number of Properties/ Housing Units			
	Acquisition	Rehabilitation	Sale	Rental
Single-Family	0	21	0	0
Multi-Family	0	0	0	0

0
0
0
0

Leverage Sources				
ther funding sour brage sources; ho ent to more accur	Identify other funding sources for each activity included i these leverage sources; however, periodic reporting of tl Department to more accurately report to HUD how NSP	Identify other funding sources for each activity included in this NSP Application. Applicants will not be required to expend these leverage sources; however, periodic reporting of these expenditures will be very important in order for the Department to more accurately report to HUD how NSP funds were leveraged.	nts will not be required nportant in order for th	l to expend e
NSP Activity (purchase, residential rehab.,	Use of Funds (fee waivers, staff in-kind,	Source of Funds (local, private, State, federal,	Dollar Amount (\$)	Is there a Commitment for this Leverage?
nomebuyer assistance, sale, etc.)	appraisal discount, etc.)	KDA)		(Yes or No)
HERO PROGRAN	1 WILL NOT BE LEVERAGIN	THE COUNTY HERO PROGRAM WILL NOT BE LEVERAGING OTHER FUNDING SOURCES.	ý	
		TOTALS:	\$	

1. **Resolution by the Governing Body** *This document is required*. See sample in Appendices. (Original signatures must be in **blue ink**.) The Resolution submitted with this application must: be an **original or certified copy** of the Resolution; authorize submission of the application; clearly identify all activities in the application; clearly define the specific target area(s) for each activity; identify the commitment of any local cash match or leverage that is proposed for any **NSP** activities: \boxtimes approve the application's contents (total funding requested, all proposed activities. committed leverage, target areas for each activity, etc.); \boxtimes indicate the approval of the NSP Application's content; authorize acceptance of any additional NSP funding that may become available at a later date and indicate the maximum dollar amount that would be accepted; authorize the execution of a standard agreement (and any amendments thereto) with the Department; designate an official (by title) authorized to sign the NSP Application and enter into an agreement with the Department, if funded; and designate persons (by titles) authorized to sign all reports, including Funds Requests and required NSP reports. (It is recommended that more than one person be authorized). Joint applicants must also adhere to the following: include the authorization for the jurisdictions to submit the joint application and acceptance of the jurisdiction to assume the role of lead agency for the NSP application activities; include an original or certified copy of the Resolution from each joint applicant, authorizing the joint agreement for the NSP funding, and include a copy of the joint agreement which has been signed by all joint applicants. In addition, a subrecipient agreement must also be executed and submitted with the NSP Application if any joint applicants, other than the lead agency, will have a role in the implementation of any NSP activities. if leverage is committed by RDA, a separate RDA resolution is required. NSP strongly recommends that applicants use the suggested language in the sample Resolution. (See Appendices in this application package.)

Include all appropriate Resolutions immediately after this page.

ATTACHMENT 1:

Resolution by the Governing Body & NSP Program Income Reuse Plan

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AUTHORIZING THE COMMUNITY DEVELOPMENT COMMISSION TO ACT AS THE AGENT OF THE COUNTY WHEN APPLYING TO THE STATE OF CALIFORNIA FOR NEIGHBORHOOD STABILIZATION PROGRAM FUNDS

WHEREAS, on July 30, 2008, the U.S. Congress enacted the Housing and Economic Recovery Act (HERA) of 2008, which created the Neighborhood Stabilization Program (NSP) to target emergency assistance to every State and certain local grantees for the purchase of foreclosed or abandoned homes and rehabilitation, resale, or redevelopment these homes in order to stabilize neighborhoods and stem the decline of home values.

WHEREAS, on November 18, 2008, the Los Angeles County Board of Supervisors approved an Amendment to the 2008-2009 Action Plan (Action Plan) for the Los Angeles Urban County to enable the County to receive and administer NSP funds.

WHEREAS, on November 18, 2008, the Los Angeles County Board of Supervisors designated the Community Development Commission of the County of Los Angeles (Commission) to serve as the agent of the County of Los Angeles to administer \$16,847,672 in NSP funds, including the County's new Housing and Economic Recovery Ownership (HERO) Program, to assist first-time homebuyers with low-, moderate-, and middle-incomes who are unable to quality for a mortgage and/or obtain the necessary down payment without financial assistance.

WHEREAS, on April 2009, the State of California's Department of Housing and Community Development (HCD) announced the availability of additional NSP funds for local eligible grantees for its NSP. Eligible California counties, including the County of Los Angeles, interested in additional NSP funding, are required to submit their applications to the State of California's Department of HCD by July 15, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles as follows:

Section 1. The Board of Supervisors hereby authorizes and directs the Commission to act as the agent of the County of Los Angeles in matters pertaining to application, receipt and administration of the additional NSP funds from the State of California.

Section 2. The Board of Supervisors has reviewed and hereby approves the State NSP Application (and its contents) for an estimated \$4,804,152 for the following activities:

(1) HERO Program – to assist first-time homebuyers with low-, moderate-, and middle-incomes who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance; and (2) General Administration (GA) Activities – Programmatic and financial monitoring, program reporting, drawdowns, and planning. GA activities shall not exceed 5% of the anticipated award total.

If any additional NSP funding becomes available at a later date, the Commission is authorized to apply for, and/or accept funding, up to \$11,855,450.

Any additional NSP funding will be used in accordance with funding requirements established by the State of California.

Section 3. The Board of Supervisors hereby approves the County's Plan Governing Reuse of NSP Program Income (Program Income). Any Program Income received during the implementation of NSP will be spent on HERO Program activities.

Section 4. The Board of Supervisors has determined that federal Citizen Participation requirements were met during the development of this application.

Section 5. The Executive Director of the Commission is hereby authorized as the official responsible in all matters pertaining to this application.

Section 6. If the application is approved, the Executive Director of the Commission, or his designee, is authorized to enter into and sign the grant agreement and any subsequent amendments thereto, with the State of California for the purposes of this grant.

Section 7. If the application is approved, the Executive Director of the Commission is authorized to sign Funds Requests and other required reporting forms.

STATE OF CALIORNIA NEIGHBORHOOD STABILIZATION PROGRAM PROGRAM INCOME REUSE PLAN

Revision / Adopted	Date

Grantee Name Community Development Commission of the County

of Los Angeles

Grantee Address <u>2 Coral Circle, Monterey Park, CA 91107</u>

Grantee Contact <u>Linda Jenkins, Manager</u>

Grantee Telephone # (323) 890-718

Grantee E-mail Linda.Jenkins@ lacdc.org

The purpose of this plan is to establish guidelines on the policies and procedures for the administration and utilization of program income received as a result of activities funded under the Neighborhood Stabilization Program (NSP).

Need for Plan Governing Reuse of NSP Program Income

NSP is authorized under Title III of Division B of the Housing and Economic Recovery Act of 2008 (HERA) and under the heading of the Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes. HERA provides under a rule of construction that, unless it is otherwise stated, grants made under the NSP are considered to be Community Development Block Grant (CDBG) funds.

This Reuse Plan is intended to satisfy the requirements specified in federal statute and regulation at Section 104(j) of the Housing and Community Development Act ("the Act"), as amended in 1992 and 24 Code of Federal Regulations (CFR) 570.489 (e)(3) and of Title III of Division B of HERA.

These statutory and regulatory sections permit the Grantee to retain NSP Program Income generated by eligible NSP activities pursuant to HERA. The eligible NSP activities shall principally benefit low-, moderate-, and middle-income (LMMI) individuals and families, as described in the Grantee's Application and Exhibit B of the NSP Standard Agreement, and shall consist of:

A. Establish financing mechanisms for purchase and redevelopment of foreclosed-upon homes and residential properties, including such mechanisms as soft-seconds, loan loss reserves, and shared-equity loans for

low- and moderate-income homebuyers.

- B. Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties.
- C. Establish land banks for homes that have been foreclosed upon.
- D. Demolish blighted structures.
- E. Redevelop demolished or vacant properties.

Acceptance of the NSP Program Income Reuse Plan

The NSP Program Income Reuse Plan must detail the proposed uses of NSP Program Income and confirm the jurisdiction's required compliance with state and federal regulations.

The NSP Program Income Reuse Plan must be adopted by the local governing board only after compliance with the Grantee's citizen participation process as specified in Federal Regulations at 24 CFR 570.486, Local Government Requirements.

The Grantee shall obtain the Department of Housing and Community Development's (Department) written acceptance before taking any prohibitive choice limiting actions with any NSP Program Income funded activity.

Program Income Defined

NSP Program Income is defined in federal regulation at 24 CFR 570.500(a) which specifies that the NSP Program Income is the gross income received by the Grantee that has been directly generated from the use of CDBG/NSP funds. There are limitations and requirements based on the NSP activity that generated the program income and on the date the income is received. Examples of program income include:

- payments of principal and interest on housing rehabilitation or business loans made using CDBG/NSP funds
- interest earned on program income pending its disposition, and interest earned on funds that have been placed in a revolving loan account
- net proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG/NSP funds
- income (net of costs that are incidental to the generation of the income) from the use or rental of real property that has been acquired, constructed or improved with CDBG/NSP funds and that is owned (in whole or in part) by the participating jurisdiction or subrecipient.

- 1. Program Income generated by activities carried out pursuant to Section 2301(c)(3)(B) and (E).
 - a. Program Income received before July 30, 2013, may be retained by the Grantee if it is treated as additional CDBG funds and used in accordance with the requirements of Section 2301.
 - b. Program Income received on or after July 30, 2013, must be returned to the Department.

Any program income received by the Grantee on or after July 30, 2013, that is generated by activities carried out pursuant to Section 2301(c)(3)(B) and (E) (e.g., proceeds from the sale) and is not authorized to be retained as described below must be remitted to the Department.

Any program income received by a NSP grantee on or after July 30, 2013, that is generated by activities carried out pursuant to Section 2301(c)(3)(B) and (E) and that is in excess of the cost to acquire and redevelop or rehabilitate an abandoned or foreclosed-upon home or residential property may be retained if the Department accepts a request to use the funds for other NSP purposes.

Note that no profit can be earned on the sale of an abandoned or foreclosed-upon home or residential property to an individual as a primary residence; as provided under Section 2301(c)(3), the sale must be in an amount equal to or less than the cost to acquire and redevelop or rehabilitate the home or property up to a decent, safe, and habitable condition.

- c. Revenue received by a private individual or other entity that is not a subrecipient.
 - i. Any revenue generated by activities carried out pursuant to Section 2301(c)(3)(B) and (E) that is in excess of the cost to acquire and redevelop (including reasonable development fees) or rehabilitate an abandoned or foreclosed-upon home or residential property must be provided to the state or unit of general local government and treated as program income. The disposition of the program income by the state or unit of general local government is governed by a. and b. above.
 - ii. Any revenue that is generated by activities carried out pursuant to Section 2301(c)(3)(B) and (E) and is received on or after July 30, 2013, shall be provided to the State and treated as program income. The disposition of the program income by the state is governed by b. above.

2. Program income generated by activities carried out pursuant to Section 2301(c)(3)(A), (C) and (E). Program income received may be retained by the State or unit of general local government if it is treated as additional CDBG funds and used in accordance with the requirements of Section 2301. Revenue received by a private individual or other entity that is not a subrecipient must be returned to the State.

Cash Management

- All NSP Program Income must be disbursed for eligible NSP activities before additional NSP funds are made available to the Grantee for an advance or reimbursement.
 - a. All NSP Program Income generated by NSP-funded activities must be placed in a separate NSP Program Income account.
 - b. The Grantee will be allowed to use the NSP Program Income to meet the used/obligated milestones. Furthermore, any NSP Program Income funds that are not shown to be used/obligated on the Grantee's next Quarterly NSP Program Income Report must be returned to the Department.
- 2. Agreements with subrecipients and other entities. States and units of general local governments must incorporate in subrecipient agreements such provisions as are necessary to ensure compliance with the requirements of this paragraph, including the requirement that program income be remitted to the Department. States, units of general local government, and subrecipients must incorporate in agreements with private individuals and other entities that are not subrecipients such provisions as are necessary to ensure compliance with the requirements governing disposition of revenue generated by activities carried out pursuant to Section 2301(c).

General Administration (GA) Cost Limitation

The Grantee will be allowed general administrative costs of up to five percent (5%) of all NSP Program Income expended during each fiscal year.

Activity Delivery (AD) Cost Limitation

The Grantee will be allowed activity delivery costs up to the percentage (%) of the total activity expenditure amount. The maximum activity delivery percentage (%) for each activity is:

Financing Mechanisms

up to 8 percent (8%)

Housing Acquisition up to 8 percent (8%)
Housing Rehabilitation up to 19 percent (19%)
Disposition (Rental, Sale) up to 8 percent (8%)
Landbanking up to 8 percent (8%)
Demolition up to 8 percent (8%)

Redevelopment (public facilities, public improvements)* up to 8 percent (8%)

Reuses of NSP Program Income

The Grantee will be allowed to use the earned NSP Program Income for eligible NSP activities in the areas of greatest needs listed in the Grantee's Application and in Exhibit B of the NSP Standard Agreement.

Any NSP Program Income funds that are not shown to be obligated on the Grantee's next Quarterly NSP Program Income Report must be returned to the Department.

Program Income received on or after July 30, 2013, must be returned to the Department.

The Grantee reserves the option of utilizing program income to augment a NSP-funded activity included in the NSP Standard Agreement. In order to exercise this option, the Grantee must first follow the citizen participation process, hold a public hearing, obtain a governing body resolution, and obtain acceptance from the State NSP staff.

All program income generated by activities funded by NSP grants must be placed in a separate NSP program income account.

Reporting

The Grantee shall comply with all NSP reporting requirements, including, but not limited to:

Section 3 Report by July 31 of each year

Wage Compliance Report October 31 and April 30

(during construction period)

Final Wage Compliance Report thirty (30) days after construction is

completed

^{*}if complex labor standards are justified up to 12 percent (12%)

Funds Request Form as funds are needed.

Quarterly Performance and due 15 days after the end of each quarter Expenditure Report

Quarterly NSP Program Income Report due 15 days after the end of each quarter

The Quarterly NSP Program Income Report will detail all obligated program income receipts, expenditure amounts, and specific activity detail for all expenditures.

NOTE: Any NSP Program Income funds that are not shown to be obligated on the Grantee's next Quarterly NSP Program Income Report must be returned to the Department.

Federal Overlay Compliance

The Grantee shall ensure that the use of NSP Program Income under this NSP Program Income Reuse Plan complies with all federal overlay requirements, including, but not limited to:

citizen participation
 environmental review
 equal opportunity

Section 3 employment
 lead-based paint
 labor standards

acquisition and relocation
 procurement
 property management

maintenance of adequate accounting and recordkeeping systems

Revising This Plan

The Grantee has the authority to amend this document with a properly noticed Board public hearing, board resolution, and acceptance by the Department.

2. NSP Statement of Assurances. This document is required.

All applicants must use the form provided by the State. An original signature is required from the Chief Executive Officer. (Use *blue ink*.)

Applicants must submit the NSP Statement of Assurances form with the NSP Application. If an award is made, the grantee must assume responsibility for compliance with state, federal, and applicable local laws and regulations that apply to the expenditure of state NSP funds.

Program regulations require the applicant to assure that the jurisdiction and all subrecipients will comply with all applicable state and federal requirements. Some requirements pertain to all local NSP/CDBG activities such as audits and procurement standards while others are specific to certain activities, such as relocation law and labor standards.

The Statement of Assurances must be signed by the jurisdiction's Chief Executive Officer, regardless of any signatory designation in the governing body's resolution authorizing submission of the application.

The NSP Statement of Assurances Form begins on the following page.

NSP STATEMENT OF ASSURANCES

The County of Los Angeles hereby assures and certifies that:

1. <u>Legal Authority</u>

It possesses the legal authority to apply for the grant and to execute the proposed Neighborhood Stabilization Program (NSP) activities described in the NSP application in accordance with all applicable regulations.

2. <u>Application Authority</u>

Its governing body has duly adopted or passed as an official act or resolution, motion, or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant's chief executive officer or other designee to act in connection with the application and to provide such additional information as may be required.

3. <u>Citizen Participation</u>

It has or will comply with all citizen participation requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP. Such requirements include, at a minimum, the following components:

- a. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low-, moderate-, and middle-income who are residents of areas in which NSP funds are proposed to be used, and provides for participation of residents in low-, moderate-, and middle-income neighborhoods as defined by the local jurisdiction;
- Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by NSP/CDBG regulations, and relating to the actual use of funds under this title;
- Provides for technical assistance to groups representative of persons of low-, moderate-, and middle-income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- d. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the Neighborhood Stabilization Program. These include at least the development of needs and the review of proposed activities, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the disabled. This shall include one public meeting during the program design and prior to formal amendments. A public hearing shall also be conducted prior to application submittal;
- e. Solicits and provides for timely written answers to written complaints and grievances, within 15 working days where practicable; and

NSP STATEMENT OF ASSURANCES

f. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can reasonably be expected to participate.

4. Use of funds in 18 months

It will comply with Title III of Division B of the Housing and Economic Recovery Act of 2008 by using/obligating, as defined in the NSP Notice, all of its grant funds within 12 months of the contract execution date between the California Department of Housing and Community Development and the U.S. Department of Housing and Urban Development.

5. <u>Use NSP funds ≤ 120 of AMI</u>

It will comply with the requirement that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income. The only exception is for jurisdictions that are awarded State NSP set-aside funds, which must benefit individuals and families whose incomes do not exceed 50 percent of area median income.

6. NEPA Environmental Review

It consents to assume the responsibilities for environmental review and decision-making in order to ensure compliance with NEPA by following the procedures for recipients of block grant funds as set forth in 24 CFR, Part 58, titled "Environmental Review Procedures for Title I Community Development Block Grant Programs." Also included in this requirement is compliance with Executive Order 11988 relating to the evaluation of flood hazards, and Section 102(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) regarding purchase of flood insurance, and the National Historic Preservation Act of 1966 (16 USC 470) and implementing regulations (36 CFR 800.8).

7. CEQA

It consents to assume the role of either Lead Agency as defined by Section 21067 of the California Public Resources Code, or if another agency is or will be designated Lead Agency, it consents to assume the role of Responsible Agency as defined by Section 21069 of the California Public Resources Code, in order to ensure compliance with CEQA.

8. Growth Control

It certifies that there is no plan, ordinance, or other measure in effect which directly limits, by number, the building permits that may be issued for residential construction or the buildable lots which may be developed for residential purposes; or if such a plan, ordinance, or measure is in effect, it will either be rescinded before receiving funds, or it need not be rescinded because:

NSP STATEMENT OF ASSURANCES

- a. The plan, ordinance, or measure imposes a moratorium on residential construction, to protect the health and safety, for a specified period of time, which will end when the public health and safety is no longer jeopardized; or
- The plan, ordinance, or measure creates agricultural preserves under Chapter 7 (commencing with Section 51200) of Part 2 of Division 1 of Title 5 of the Government Code; or
- c. The plan, ordinance, or measure was adopted pursuant to a specific requirement of a State or multi-State board, agency, department, or commission; or
- d. The applicant has an adopted housing element, which the Department has found to be in compliance, unless a final order has been used by a court in which the court determined that it is not in compliance with Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code; or
- e. The use of the funds applied for in this application is restricted for housing for the targeted income group.

9. <u>Uniform Administrative Requirements</u>

It will comply with the regulations, policies, guidelines, and requirements of OMB Circular Numbers A-87, A-133, A-122, and 24 CFR Part 85, where appropriate, the Housing and Economic Recovery Act of 2008 (HERA) regulations, and the State CDBG regulations.

10. Nondiscrimination

It shall comply with the following regarding nondiscrimination:

- a. Title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.
- b. Title VIII of the Civil Rights Act of 1968 (Public Law 90-284) as amended; and will administer all programs and activities related to housing and community development in a manner affirmatively furthering fair housing. The grantee must conduct an analysis to identify the impediments to fair housing choice within the jurisdiction(s), take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.
- c. Section 109 of the Housing and Community Development Act of 1974, as amended.
- d. Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

NSP STATEMENT OF ASSURANCES

- e. Executive Order 11246, as amended by Executive Orders 11375 and 12086.
- f. Executive Order 11063, as amended by Executive Order 12259.
- g. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), as amended, and implementing regulations.
- h. The Age Discrimination Act of 1975 (Public Law 94-135).
- i. The prospective contractor's signature affixed hereon and dated shall constitute a certification under the penalty of perjury under the laws of the State of California that the applicant has, unless exempted, complied with the nondiscrimination program requirements of Government Code Section 12990 and Title 2, California Code of Regulations, Section 8103.

11. Acquisition and Relocation

It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the Notice for the NSP program published by HUD. Additionally, the jurisdiction certifies that it will follow the State's residential anti-displacement and relocation assistance plan located in Appendix L of the State's 2005-2010 Consolidated Plan. The Plan can be found at: http://www.hcd.ca.gov/hpd/hrc/rep/fed/conplan05-10final.pdf.

12. Labor Standards

It will comply with the following regarding labor standards:

- a. Section 110 of the Housing and Community Development Act of 1974, as amended.
- b. Section 1720 <u>et seq.</u> of the California Labor Code regarding public works labor standards.
- c. Davis-Bacon Act as amended (40 U.S.C. 276a) regarding prevailing wage rates.
- d. Contract Work Hours and Safety Standards Act (40 USC 327-333) regarding overtime compensation.
- e. Anti-Kickback Act of 1934 (18 USC 874) prohibiting "kickbacks" of wages in federally assisted construction activities.

13. <u>Architectural Barriers Act</u>

NSP STATEMENT OF ASSURANCES

It will comply with the Architectural Barriers Act of 1968 (42 USC 4151) and implementing regulations (24 CFR Part 40-41).

14. Conflict of Interest

It will enforce standards of conduct that govern the performance of its officers, employees, and agents engaged in the administration of contracts funded in whole or in part by the NSP/CDBG Program (Section 7120(d) of the State regulations).

15. <u>Limitations on Political Activities</u>

It will comply with the Hatch Act (5 USC 1501 et seq.) regarding political activity of employees.

16. Anti-lobbying

It will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

17. Lead-Based Paint

It will comply with the Lead-Based Paint Regulations (24 CFR Part 35, subparts A, B, J, K, and R) which prohibits the use of lead-based paint on projects funded by the program.

18. <u>Federal Debarment and Suspension</u>

It will comply with the Federal Debarment and Suspension (24 CFR Part 5) and their principals, or any/all persons, contractors, consultants, businesses, subrecipients, etc., that are conducting business with the grantee are not presently debarred, proposed for debarment, suspended, declared ineligible, or voluntarily excluded from participation from the covered transaction in any proposal submitted in connection with the covered transaction. Applicants must check the Excluded Parties Listing System at www.epls.gov, print and maintain evidence of the search results. In the event that the search results indicate a prior or current debarment or suspension of the jurisdiction, include the printout in the application.

19. Assessments

It will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. The following exceptions apply:

a. If NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or

NSP STATEMENT OF ASSURANCES

charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

b. For properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

20. Excessive Force

It has adopted and is enforcing a policy that:

- a. Prohibits the use of excessive force by law enforcement agencies within the jurisdiction(s) against any individuals engaged in non-violent civil rights demonstrations; and
- b. Enforces applicable State and local laws against physically barring entrance to or exit from a facility or location, which is the subject of such non-violent civil rights demonstrations within the jurisdiction(s).

21. <u>Inspection of Grant Activities</u>

It will give HUD, the Comptroller General, the Office of Inspector General, the State Department of Housing and Community Development, or any of their authorized representatives access to and the right to examine all records, books, papers, or documents related to this NSP Application and subsequent standard agreement.

These certifications are made under penalty of perjury under the laws of the State of California.

NAME OF CERTIFYING OFFICIAL	: Sean Rogan
TITLE OF CERTIFYING OFFICIAL	: Executive Director (Chief Administrative Executive—enter exact title of
	person signing)
	July 10, 2009
Signature	 Date

3. Co	ompliance with OMB Circular A-133. This form is required.
of 198- the sta states, countie the Sta Califor OMB (of Management and Budget (OMB) Circular A-133 is used pursuant to the Single Audit Act 4, P.L. 98-502, and the Single Audit Act Amendments of 1996, P.L. 104-156. It sets forth ndards for obtaining consistency and uniformity among Federal agencies for the audit of local governments, and non-profit organizations expending Federal awards. Cities and es not exempted from the requirements of OMB Circular A-133 must submit their audits to ate Controller. Non-profit organizations not exempted must submit their audits to the nia Department of Housing and Community Development. Pursuant to the requirements of Circular A-133, please check the appropriate statement below and sign the certification at the of the page.
	The Community Development Commission of the County of Los Angeles has expended more than \$500,000 in Federal funds in fiscal year 2006-2007 and is required to conduct a single audit or program specific audit for this year in accordance with the provisions of OMB Circular A-133. (Check the appropriate statement below.)
	The audit has been completed and has been submitted to the appropriate control agency. Attached is the acceptance letter from the California State Controller's Office. (Failure to include the acceptance letter will result in denial and/or withholding of NSP/CDBG funding.)
	☐ The audit has not been completed. It is anticipated that the audit will be completed and submitted to the appropriate control agency by:
	(date). (NSP funds will not be approved unless compliance is demonstrated in a timely manner.)
	The (name of entity) has expended less than \$500,000 in federal funds in fiscal year 2006-2007 and is exempt from the requirements of OMB Circular A-133. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the General Accounting Office.

I certify on behalf of the Community Development Commission of the County of Los Angeles that the above is a true and accurate statement. I understand that failure to comply with yearly Single Audit requirements will result in denial and/or withholding of NSP/CDBG funding.

Sean Rogan	Executive Director
Printed/Typed Name	Title
	July 10, 2009
Signature <i>(Use blue ink)</i>	Date signed

ATTACHMENT 2:

Acceptance Letter from California State Controller's Office



JOHN CHIANG

California State Controller

October 14, 2008

Auditor-Controller County of Los Angeles 500 West Temple Street, Room 525 Los Angeles, CA 90012-2706

Re: 2006-07 Fiscal Year Single Audit Report Certification and Audit Finding Resolution

We completed a desk review of your single audit report for the year ended June 30, 2007. We determined that the report meets the requirements of the United States Office of Management and Budget (OMB) Circular A-133. OMB Circular A-133 prescribes the audit and reporting standards for state and local governments that expend federal awards.

OMB Circular A-133 requires federal and state funding agencies to resolve any audit findings cited in the report that may affect federal award programs. Attachment A to this letter identifies those findings that require resolution. The findings are referenced by enclosure and page number.

OMB Circular A-133 also requires pass-through state agencies to follow up on the resolution of findings that affect federal programs administered by these agencies. The state agency referenced in the attachment will be in contact to follow up on the resolution of the applicable findings.

The State Controller's Office is responsible for resolving most cross-cutting findings or audit leads. A cross-cutting finding is one that affects the programs of more than one agency. If cross-cutting findings are identified in your report, our office will contact you. An audit lead is a specific issue identified in your report that may require additional investigation by federal or state agencies. Federal or state agencies may ask you to provide additional information related to the audit lead.

Your audit report may also contain general internal control findings not referenced in Attachment A. These findings do not appear to affect the federal award programs. Therefore, we have not identified them for resolution action; however, you should ensure that your audit report for the 2007-2008 fiscal year addresses the resolution of these findings.

Auditor-Controller October 14, 2008 Page 2

Your audit satisfies all financial and compliance audit requirements under individual federal award programs. This does not preclude state and federal agencies from making any additional audits that are necessary to carry out their responsibilities under federal laws and regulations. State and federal agencies may contact you to arrange for additional audits.

If you have any questions regarding this letter and its attachment, please contact a member of my Single Audits staff at (916) 324-6442 or email at singleaudits@sco.ca.gov.

Sincerely,

CASANDRA MOORE-HUDNALL, Chief

Chandre More Hudane

Financial Audits Bureau Division of Audits

Attachment

cc: State Funding Agencies

ATTACHMENT A AUDIT REPORT FINDING(S)—STATE AGENCIES

County of Los Angeles 2006-07 Fiscal Year

Agency Name	Program Name	CFDA#	Finding #	Page#	<u>Enc. #</u>
California Secretary of State	Help America Vote Act	39.011	07-05	124	1
State Department of Social Services	Independent Living Skills – Children's Services Program (Chafee Foster Care Independence Program*)	93.674	07-06	125	1
	Independent Living Skills – Children's Services Program (Chafee Foster Care Independence Program*)	93.674	07-07	126	1
	Independent Living Skills – Children's Services Program (Chafee Foster Care Independence Program*)	93.674	07-08	127	1
	Independent Living Skills – Children's Services Program (Chafee Foster Care Independence Program*)	93.674	07-09	128	1

^{* =} Program Name Per CFDA

ATTACHMENT A AUDIT REPORT FINDING(S)—STATE AGENCIES

County of Los Angeles 2006-07 Fiscal Year

Agency Name	Program Name	CFDA#	Finding #	Page #	Enc. #
State Department of Social Services (continued)	Independent Living Skills – Children's Services Program (Chafee Foster Care Independence Program*), Health Care Program Children in Foster Care (Foster Care – Title IV-E*), Adoptions – Administration and Assistance (Adoption Assistance*) and Medicaid Cluster	93.674, 93.658, 93.659, 93.777 & 93.778	07-10	130	1
	Temporary Assistance For Needy Families	93.558	07-17	139	1
	Temporary Assistance For Needy Families	93.558	07-18	140	1
State Department of Alcohol and Drugs Program	Alcohol Block Grant (*Block Grants For Prevention and Treatment of Substance Abuse)	93.959	07-13	134	1
	Medicaid Cluster Program	93.777 & 93.778	07-16	138	1
State Department of Child Support Services	Child Support Enforcement	93.563	07-19	141	1
State Employment Development Department	Workforce Investment Act Cluster	17.258, 17.259 & 17.260	07-20	142	1

$\begin{array}{c} \text{ATTACHMENT A} \\ \text{AUDIT REPORT FINDING(S)} \\ -\text{STATE AGENCIES} \end{array}$

County of Los Angeles 2006-07 Fiscal Year

Agency Name	Program Name	CFDA# I	inding#	Page #	Enc. #
State Office of Emergency Services	Homeland Security Cluster	97.004 & 97.067	07-21	143	1
	Homeland Security Cluster	97.004 & 97.067	07-22	144	1
	Homeland Security Cluster	97.004 & 97.067	07-23	146	1

4. Residential Anti-Displacement and Relocation Assistance Plan and Checklist. This checklist is required. In addition, all applicants must submit a copy of their approved Residential Anti-Displacement and Relocation Assistance Plan immediate following this page.	ely
 Do any of the <u>proposed NSP activity(ies)</u> include acquisition of real property? No. (If no, go to #3 below) 	
 ✓ Yes. If yes, check the appropriate box below and answer questions 2 and 3. ☐ Site Control under option to purchase. ☐ Site is identified but no negotiations have taken place. ☐ Site not identified (Stop here and go to next Section) 	
 Will site acquisition require use of eminent domain? Yes. (see note) No. Note: Grantees that are contemplating using NSP funds to assist an acquisition involving an eminent domain action are advised to consult legal counsel before taking action, as this may present problems with the Takings Clause of the Fifth Amendment to the U.S. Constitution and prior Supreme Court 	e
rulings. 3. Will the activity involve acquisition or rehabilitation of sites with structures and are structures currently occupied?	
Yes. The applicant must provide documentation showing that persons in the project have received a General Information Notice and provide a copy of a project-specific relocation plan, which was made public. The plan must address how many persons will be displaced and services and benefits made available.	
Unknown at this time. The applicant must ensure that if this answers changes to a "Yes" at any time during program implementation, it will provide follow the procedure outlined above.	
No. The applicant must provide documentation of why no person will be displaced (i.e., property being acquired has no structures on it, or structures on the property have been vacant for over 120 days).	
Submit a copy of the applicant's approved Residential Anti-Displacement and Relocation Assistance Plan immediately after this page. Note: Joint applicants must submit multiple plans, if different.	

ATTACHMENT 3:

Residential Anti-Displacement and Relocation Assistance Plan

Anti-Displacement and Relocation Plan for 2008–2013, Citizen Participation for Environmental Reviews and the Section 108, EDI, and BEDI Grant Programs

The Citizen Participation Plan includes an Anti-displacement and Relocation Plan that describes how the County will help persons who must be temporarily relocated or permanently displaced due to the use of CDBG, HOME or ESG funds.

Background

The CDC has adopted a policy that requires that a relocation assessment be completed in any circumstance in which it is anticipated even one person will be displaced as the result of a project. This policy exceeds all state and federal requirements. The purpose of this assessment is to ensure that the CDC is advised early in the process of any major relocation problems that could be encountered in a project. The early recognition of problems gives the CDC the opportunity to cancel a project if there are excessive displacements in a project.

In addition, the CDC follows the Citizen Participation process required in Paragraph 6012 of the State of California Relocation Regulations and HUD relocation regulations found in HUD Transmittal 1378 Paragraph 2-2. A summary of that process follows:

"All persons who may be displaced, neighborhood groups, formed relocation committees or similar individuals or organizations shall be given an opportunity and will be encouraged fully and meaningfully to participate in reviewing the relocation plans and/or assessments."

Definitions

Displacement occurs when a person <u>moves</u> as a <u>direct result</u> of federally-assisted acquisition, demolition, conversion, or rehabilitation activities, because he or she is:

- Required to move, or
- Not offered a decent, safe, sanitary and affordable unit in the project, or
- Treated "unreasonably" as part of a permanent or temporary move.

The term *displaced person* means any person that moves from real property or moves his or her personal property from real property permanently as a direct result of one or more of the following activities:

- Acquisition of, or written notice of intent to acquire, or initiation of negotiations to acquire, such real property, in whole or in part, for a project.
- Rehabilitation or demolition of such real property for a project.
- Rehabilitation, demolition, or acquisition (or written notice of intent) of all or a part of other real property on which the person conducts a business or farm operation, for a project.

A person may also be considered displaced if the necessary notices are not given or provided in a timely manner and the person moves for any reason.

Relocation of Displaced Persons

When a substantial number of persons will be displaced from their dwellings the CDC shall encourage the residents and community organizations in the displacement area to form a relocation committee. The committee shall include, when applicable, residential owner occupants, residential tenants, business people, and members of existing organizations within the area. In lieu of initiating a new process of citizen participation, public entities, which have conducted or are conducting a citizen participation process as part of an existing development program, will be utilized and committees they formed may be substituted if the goals of Citizen Participation will be reached.

During the relocation planning process the CDC will, at a minimum, guarantee the following:

- 1. Timely and full access to all documents relevant to the relocation program.
- 2. The provision of technical assistance necessary to interpret elements of the relocation plan and other pertinent materials.
- 3. The right to submit written or oral comments and objections, including the right to submit written comments on the relocation plan and to have these comments attached to the plan when it is forwarded to the local legislative body or the head of the state agency for approval.
- 4. Prompt, written response to any written objections or criticisms.
- 5. Assurances that families living in the project area will be given the opportunity, if feasible, to return to the project area after completion of project activities.

Change in Use of Real Property

The standards described in this section apply to real property within the administering agency's control, which is acquired or improved in whole or in part using CDBG funds in excess of \$25,000. These standards shall apply from the date CDBG funds are spent for the property until five years after closeout of the grant from which the assistance to the property was provided.

A recipient cannot change the use or planned use of any property (including beneficiaries of such use) from that for which the acquisition or improvement was made unless the recipient provides affected citizens with an opportunity to comment on, any change, and either:

1. The new use of such property qualifies as meeting one of the national objectives and is not a building for the general conduct of government; or

6.	Citizen Participation. This information is required.
	SP Applicants must ensure that proper Public Hearings/Citizen Participation rements are met. Use this checklist to ensure that all applicable requirements have met.
	Public hearing was conducted during the program design phase of the application and includes all applicable information. (Include an affidavit of publication immediately after this form.)
	Note: All applicants are required to have sign-in sheets and meeting minutes, on file, for all NSP public hearings.
	Public hearing was conducted to approve submittal of the application. (It is recommended that this hearing be conducted at least 15 days after the program design phase hearing.) (<i>Include an affidavit of publication immediately after this form.</i>)
	Note: All applicants are required to have sign-in sheets and meeting minutes, on file, for all NSP public hearings.
	Public notices announcing the public hearings were published in one or more local newspapers (covering all target areas/cities identified in the application) and contained the required information, as stated in the 2009 NSP NOFA.
	Sign-in sheets and meeting minutes are available for each public hearing.
	 Did the jurisdiction receive written comments during the public hearings process prior to submitting this application?
	☐ Yes. If yes, see note below. ☐ No.
	Note: If a jurisdiction received written comments as part of the public hearings process prior to submitting the NSP application, a copy of the comments must be submitted with the application. In addition, the jurisdiction's responses must also be included.
Pleas page	se ensure that the required documentation is included immediately after this

ATTACHMENT 5:

Affidavit of Publications for Public Hearings

Proof of Publication

Nos Angeles Times

STATE OF CALIFORNIA County of Los Angeles

I am a citizen of the United States, and a resident of the county aforesaid; I am over the age of eighteen years; and I am not a party to or interested in the notice published. I am the chief legal advertising clerk of the publisher of the LOS ANGELES TIME a newspaper of general circulation, printed and published daily in the City of Los Angeles, County of Los Angeles. The LOS ANGELES TIMES has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of May 21, 1952, Case No. 598,599. The notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

January 2

all in the year 2009

I certify (or declare) under penalty of perjury that the foregoing is true and correct

Dated at Los Angeles, California, this

5th day of January 2009

Signature

1499227

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Los Angeles, Santa-Ana, San Diego, Riverside/San Bernardino, Palmdale, Ventura,
San Francisco, Oakland., San Jose, Santa-Rosa, San Rafael, and Sacramento.

Special Services Available in Phoenix, Las Vegas, Denver and Seattle.

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COUNTY OF LOS ANGELES PUBLIC NOTICE
Notice of Public Hearing to Receive Public
Comments on Opportunities for Neighbárhaod
Stabilization Program (NSP) Funding

The Community Development Commission of the County of Los Angeles will conduct a public hearing on January 20, 2009; at 10:00 a.m. in the Commission Room, Community Development Commission, 2 Coral Circle, Monterey Park, CA 91107 to review opportunities for NSP funding from the State of California.

The State of California has received \$145 million in NSP funding to address abandoned and foreclosed homes. The State has announced that the County of Los Angeles is eligible to receive up to \$13,931,831 in NSP funding that may be used for the following activities:

- Establish financing mechanisms for the purchase and redevelopment of foreclosed homes and residential properties, including such mechanisms as soft-seconds, loan loss reserves, and shared-equity loans for low- and moderate-income homebuyers;
- Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to self, rent, or redevelop such homes and properties;
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If you are unable to attend the public hearing, you may direct written comments to: Community Development Commission of the County of Los Angeles, Attention: CDBG Division/NSP, 2 Coral Circle, Monterey Park, CA 91755, by January 20, 2009: Information may be obtained or a public file on NSP activities may be reviewed, at the above address between the hours of 8:00 e.m. and 5:00 p.m., Monday through Friday. If you have any question, please contact Raymond Webster, Development Specialist, who can be reached at (323) 890-7317 or e-mail at pwebster@lacdc.org.

For TTY assistance, please call the California Relay Services at (800) 735-2929 and reference Gioria V. Ramírez, Grants Planning Specialist, at (323) 890-7188. Citizens in need of a sign language interpreter should make their request to Ms. Ramírez no later than five (5) working days prior to the meeting.

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Граждане, желающие подять письменных

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San Francisco, Oakland., San Jose, Santa Rosa, San Rafael, and Sacramento.
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Rev. 10/



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市民若在公開客核及資詢期間有任何意見 請於2009年1月20日前等信或效電數絡以下員 工: CDC, Assisted Housing Division, Rhoda Yang (電話號碼: 562-347-4663 x8173).

Граждане, желающие подать письменные комментарии на протяжении времени для публичного рассмотрения и комментариев, могут отправить их по почте не позже, чем 1/20/2009 года в СРС с пометкой для Ludmila Свогде, которой можно позвонить по телефону (323) 654-1644, если возныки вопрофы.

한국발로 의사를 표시하거나 표현할 주민들의 경우 꼭 우편물로써 의사를 전달하기 바랍니다. 그 우면물의 통지는 기한이 2009 년 1월 20 일의 소인을 이전에 발송이 되어야 하며 수신인은 레이 오드 행스터씨로 담당부서는 CDBG 입니다. 의문 사항이 있을 경우 전화 번호 (323) 890-7317 마이크 신에게 문의 하십시요.

The County of Los Angeles promotes fair housing and makes all programs available to low- and moderate-income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status, or disability.

CNSB 1499227

California Newspaper Service Bureau® .

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DECLARATION

I am a resident of Los Angeles County, over the age of eighteen years and not a party to any or interested in the matter noticed.

The notice, of which the annexed is a printed copy appeared in the:

CHINESE DAILY NEWS

On the following dates:

January 6, 2009

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Los Angeles, California, this

12th day of February

20**09**

Signature

1499329

"The only Public Notice which is justifiable from the standpoint of true economy and the public interest, is that which reaches those who are affected by it"

Rev. 05/04 Daily Journal Corporation, 915 East First Street, Los Angeles, CA 90012



COUNTY OF LOS ANGELÉS PUBLIC NOTICE

Notice of Public Hearing to Receive Public Comments on Opportunities for Neighborhood Stabilization Program (NSP) Funding

The Community Development Commission of the County of Los Angeles will conduct a public hearing on January 20, 2009, at 10:00 a.m. in the Commission Room, Community Development Commission, 2 Coral Circle, Monterey Park, CA 91107 to review opportunities for NSP funding from the State of California.

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- Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties:
- Establish land banks for homes that have been foreclosed upon:
- Demolish blighted structures; and
- Redevelop demolished or vacant properties.

Housing Activities: receiving NSP funding must provide and improve permanent residential structures that will be occupied by a household whose income is at or below 120% of area median income.

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市民若在公開審核及資詢期間有任何意見。請於2009年1月20日前寄信或致電聯絡以下員工:CDC, Assisted Housing Division, Rhoda Yang(電 話號碼: 562-347-4663 x8173).

Граждане, желающие подать письменные комментарии на протяжении времени для публичного рассмотрения и комментариев, могут отправить их по почте не позже, чем 1/20/2009 года в CDC с пометкой для Ludmila George, которой можно позвонить сто телефону (323) 854-1644, если возникли вопросы.

한국말로 의사를 표시하거나 표현할 주민들의 경우 꼭 우편물로써 의사를 전달하기 바랍니다. 그 우편물의 통지는 기한이 2009 년 1월 20 일의 소인을 이전에 발송이 되어야 하며 수신인은 레이몬드 웹스터씨로 담당부 서는 CDBG 입니다. 의문 사항이 있을 경우 전화 번호 (323) 890-7317 마이크 신에게 문의 하십시요.

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PROOF OF PUBLICATION (2015.5C.C.P.)

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STATE OF CALIFORNIA

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitle matter. I am the principal clerk of the printer of La Opinión a newspaper of general circulation, printed and published daily in the city of Los Angeles, County of Los Angeles, and which newpaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of July 28, 1969, Case Number: 950176; that the notice, of which the annexed is a printed copy, has been published in each regular and not in any supplement thereof on the following dates, to-wit:

VANUARY

all in the year 20 09

I certify (or declare) under penalty of perjury that the foregoing is true and

Dated at Los Angeles, California, this

day of JANUARY , 20 *D*

Signati

ADV #017 Rev. 06/0!



This spac

Proof of

COUNTY OF LOS ANGELES PUBLIC NOTICE Notice of Public Hearing to Receive Public Comments on Opportunities for Neighborhood Stab I Sization Program (NSP) Funding

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San Francisco, Oakland, San Jose, Santa Rosa, San Rafael, Sacramento
Special Services Available in Phoenix, Las Vegas, Denver and Seattle

DECLARATION

I am a resident of Los Angeles County, over the age of eighteen years and not a party to any or interested in the matter noticed.

The notice, of which the annexed is a printed copy appeared in the:

THE KOREA TIMES On the following dates January 6, 2009 I certify (or declare) under penalty of perjury that the foregoing is true and correct. Dated at Los Angeles, California, this 13 day of January 2009

Yease see back -

Signature

1499334

"The only Public Notice which is justifiable

from the standpoint of true economy and the public interest, is that which reaches those who are affected by it"



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If you are unable to attend the public hearing, you may direct written comments to: Community Development Commission of the County of Los Angeles, Attention: CDBG Division/NSP, 2 Coral Circle, Monterey Park, CA 91755, by January 20, 2009, Information may be obtained or a public file on NSP activities may be reviewed, at the above address between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. If you have any question, please contact Raymond Webster, Development Specialist, who can be reached at (323) 890-7317 or e-mail at webster@lacdc.org.

For TTY assistance, please call the California Relay Services at (800) 735-2929 and reference Gloria V. Ramírez, Grants Planning Specialist, at (323) 890-7188. Citizens in need of a sign language interpreter should make their request to Ms. Ramirez no later than five (5) working days prior to the meeting.

Copias del documento también están disponibles para revisar en la Comisión de Desarrollo Comunitario (CDC), 2 Coral Circle, Monterey Park, CA 91755. La Junta de Supervisores del Condado de Los Angeles tendrá una reunión pública el 20 de Enero. del 2009 a las 10:00 de la mañana en el salón de la Comisión de la CDC. Para hacer del 2009 a las 10.00 de la manaria en el salon de la Comisión de la CDC. Fara nacer algún comentario, escriba a la CDC, a la atención de Gloria V. Ramirez, Grants Planning Specialist, antes del 20 de enero del 2009. Para obtener más información o hacer un comentario por teléfono, favor de llámar a la Sefiora Ramirez al (323) 890-7188.

市民岩在公開審核及資詢期間有任何意見,讀於2009年1月20日前寄信或致電聯絡以下員工: CDC, Assisted Housing Division, Rhoda Yang (電話號碼: 562-347-4663 x8173).

Граждане, желающие подать лисьменные комментарии на протяжении времени для публичного рассмотрения и комментариев, могут отправить их по почте не позже, чем 1/20/2009 года в CDC с пометкой для Ludmila George, которой можно позвонить по телефову (323) 854-1644, если возникли вопросы.

한국말로 의사를 표시하거나 표현한 주민들의 경우 꼭 우면물로써 의사를 전달하기 바 답니다. 그 유편물의 봉지는 기한이 **2009** 년 **1** 원 **20** 원의 소인을 이전에 반송이 되어야 하며 주신 인은 레이콘트 웹스터씨로 남당부서는 CDBG 입니다. 의문 사항이 있을 경우 전화 번호 (323) 890-7317 마이크 신에게 문의 하십시요.

The County of Los Angeles promotes fair housing and makes all programs available to low- and moderate-income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status, or disability.

7. Joint Agreement. This document may be required.

NOT APPLICABLE TO COUNTY OF LOS ANGELES PROGRAM

For the purposes of the State NSP, a Joint Agreement is required as part of an NSP Application on behalf of another jurisdiction or for joint applications. The Department will accept the following types of joint agreements:

- 1. <u>City/City Joint Recipients within that same county</u> (i.e., two or more contiguous cities); or
- 2. <u>City/County Joint Recipients</u> (i.e., a county and one or more eligible cities located within the same county).

The Department must accept all executed NSP Joint Agreements. Please refer to Appendix B for guidance on developing joint agreements.

If applicable, please ensure that the required documentation is included immediately after this page.

5.	Growth Control. This information is required.
ag	is the applicant enacted limitations on residential construction that are not establishing ricultural preserves, not imposed by another agency, or not based on a health and safety ed?
\boxtimes	Yes. If yes, see note below.
NC	DTE: If the applicant has a General Plan, ordinance, or other measure that directly limits by number either the building permits, which may be issued for residential construction, or buildable lots, which may be developed for residential purposes, and the measure does not meet any of the exceptions found in the Program Regulations, Section 7056 (b)(2)(B), check "Yes" and attach a copy of the measure in this section of the application.

The County's Hillside Management and Significant Ecological Areas ordinance follows this page.

ATTACHMENT 4:

Growth Control – County's Hillside Mgmt. & Significant Ecological Areas Ordinance

22.56.215 Hillside management and significant ecological areas--Additional regulations.

- A.1. Permit Required. Except as specified in subsection C, prior to the issuance of any building or grading permits, the relocation of two or more property lines between three or more contiguous parcels, approval of a minor land division or subdivision, or the commencement of any construction or enlargement of any building or structure on a lot or parcel which is in or partly in an area designated in the county General Plan and related maps as a significant ecological area or within a hillside management area as specified herein, a conditional use permit shall be applied for and approved as provided by this section.
- 2. A conditional use permit is required in hillside management areas when:
- a. The property contains any area with a natural slope of 25 percent or more in an urban hillside management area proposed to be developed with residential uses at a density exceeding the midpoint of the range of densities established by an adopted areawide, community or specific plan covering the areas in which the proposed development is located. Where there is no adopted areawide, community or specific plan, the applicable density range shall be established by the land use element of the General Plan.
- b. The property contains any area with a natural slope of 25 percent or more in a nonurban hillside management area proposed to be developed, with residential uses at a density exceeding the low-density threshold established for such property pursuant to subsection E.
- B. Intent and Purpose of Regulations.
- 1. A conditional use permit is required in order to protect resources contained in significant ecological areas and in hillside management areas as specified in the county General Plan from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property. In extending protection to these environmentally sensitive areas, it is intended further to provide a process whereby the reconciliation of potential conflict within these areas may equitably occur. It is not the purpose to preclude development within these areas but to ensure, to the extent possible, that such development maintains and where possible enhances the remaining biotic resources of the significant ecological areas, and the natural topography, resources and amenities of the hillside management areas, while allowing for limited controlled development therein.
- C. Exemptions from Permit. Permit exemptions include:
- 1. Accessory buildings and structures as defined in this title:
- 2. Additions or modifications to existing residences; provided, however, that such additions or modifications do not increase the number of families that can be housed in said residences;
- 3. Individual single-family residences where not more than one such residence is proposed to be built by the same person on contiguous lots or parcels of land;
- 4. In hillside management areas only (these provisions shall not apply where the subject property is also within a significant ecological area):
- a. Issuance of building permits pursuant to a final map where project grading has commenced in accordance with an approved grading permit,
- b. Development proposals which are so designed that all areas within the project which have a natural slope of 25 percent or greater remain in a completely natural state. the director shall make this determination using the proposed development plan, slope maps and any other material he deems necessary:
- 5. Final maps and development approvals (permits) related thereto which are in substantial conformance with a tentative map approved or extended by the county of Los Angeles since December 31, 1978, except as California state law may otherwise specify;
- 6. Complete applications for development proposals which were filed for approval prior to February 5, 1981, except at the specific request of the applicant. This exemption shall also apply to the refiling of applications which were denied solely by reason of Sections 65950 through 65967 of the Government Code and were originally filed prior to February 5, 1981. Any development proposals within this exemption still must be consistent with the county of Los Angeles' adopted General

Plan;

- 7. Property located in both a significant ecological area and a sensitive environmental resource area; provided, however, that this exception applies only to the significant ecological area regulations and does not apply to the provisions related to hillside management.
- D. Additional Contents of Application. In addition to the material specified in Section 22.56.030, an application for a conditional use permit for hillside management or significant ecological areas shall contain the following information:
- 1. In all applications:
- a. Panoramic or composite photographs from all major corners of the subject property and from major elevated points within the property;
- b. Maps showing the existing topography of the subject property. Commercially available maps may be deemed acceptable:
- i. One copy of such map shall identify the locations of all drainage patterns, watercourses and any other physical features which are customarily found on topographical maps prepared by the United States Geological Survey,
- ii. A second copy shall delineate all property having a natural slope of 25 to 49.99 percent, and a natural slope of 50 percent or more;
- c. A grading plan to a scale satisfactory to the director indicating all proposed grading, including the natural and finished elevations of all slopes to be graded:
- d. The following, if the construction of dwelling or other structures are part of the proposed project:
- i. Exterior elevation drawings, to a scale satisfactory to the director, indicating proposed building heights and major architectural features, and
- ii. Plans for decorative landscaping, showing the location of proposed groundcover areas, shrub mass, and existing and proposed tree locations for common or open space areas not left in a natural state. Such plan shall also include botanical and common names of all planting materials;
- 2. In hillside management areas, the following additional information:
- a. Geology and soil reports indicating active or potentially active faults at and near the proposed site and the stability of the area within the various slope categories used in this section.
- b. For proposed residential uses in areas identified as nonurban hillside management areas in the General Plan, the number of acres within the following slope categories, as determined by a licensed civil engineer, licensed land surveyor or a registered geologist:
- i. Zero to 24.99 percent natural slope,
- ii. 25 to 49.99 percent natural slope,
- iii. 50 percent or greater natural slope;
- 3. In significant ecological areas, the following additional information:
- a. Identification and location of the resources constituting the basis for classification of such area as a significant ecological area where not provided by the environmental assessment or the initial study for an environmental document;
- b. Proposed natural open areas, buffer areas, or other methods to be used to protect resource areas from the proposed use:
- Such other information as the planning director determines to be necessary for adequate evaluation. The planning director may waive one or more of the above items where he deems such item(s) to be unnecessary to process the application.
- E. Calculation of Thresholds in Nonurban Hillside Management Areas. Density thresholds for residential uses in nonurban hillside management areas shall be calculated using the analysis of slope categories required by Subsection D2b, as follows:
- 1. Low-density Threshold. The low-density threshold for a proposed development shall be determined by:
- a. Multiplying the number of acres in each of the following slope categories by the density threshold indicated as follows:
- i. One dwelling unit per five acres of land within the zero to 24.99 percent natural slope category,
- ii. One dwelling unit per 10 acres of land within the 25 to 49.99 percent natural slope category,
- iii. One dwelling unit per 20 acres of land within the 50 percent and above natural slope category;
- b. The resulting total number of dwelling units obtained by adding all three categories is then divided by the total acreage of the project, obtaining the low-density threshold applicable to such project.

- 2. Determination if Conditional Use Permit Required. If the density per acre of the proposed development exceeds the low-density threshold of such development obtained in subsection E1 above, a conditional use permit is required.
- 3. Maximum Density Permitted. The maximum density for a proposed development shall be that permitted by the adopted areawide, community or specific plan for the area in which the proposed development is located. Where there is no adopted areawide, community or specific plan, the maximum density shall be that established by the land use element of the General Plan. However, in no event shall the maximum overall density permitted for a proposed development exceed a total of one dwelling unit per acre for slopes of less than 50 percent, plus one dwelling unit per 20 acres for slopes of 50 percent or greater.
- F. Burden of Proof. The application for a conditional use permit-hillside management and significant ecological areas shall substantiate to the hearing officer the following facts:
- 1. Hillside Management Areas.
- a. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard, and b. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area, and
- c. That the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan, and d. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- Significant Ecological Areas.
- a. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas, and
- b. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state, and
- c. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state, and
- d. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development, and
- e. That where necessary, fences or walls are provided to buffer important habitat areas from development, and
- f. That roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.
- G. Hearings. In all cases where formal filing for a conditional use permit-hillside management and significant ecological areas is submitted, a public hearing shall be held pursuant to current procedures. In all cases, however, where a conditional use permit-hillside management and significant ecological areas is filed and processed as a single application with a land division case, such public hearings shall be held concurrently.
- H. Director's Report.
- 1. In all cases where a public hearing is required, the director shall prepare a report to the hearing officer containing, but not limited to, the following:
- a. Detailed review of the applicant's development proposal, including:
- Appraisal of measures proposed to avoid or mitigate identified natural hazards, and
- ii. Appraisal of measures taken to protect scenic, biotic and other resources, and
- iii. Recommended changes in the proposed development necessary or desirable to achieve compliance with the findings required by subsection I of this section and the provisions of the General Plan. and
- iv. Recommended conditions to be imposed to insure that the proposed development will be in accord with the findings required by subsection I and the provisions of the General Plan;
- b. In cases where the proposed development would impact a significant ecological area and where such information is not included in the environmental document, identification and location of the resources constituting the basis for classification of such area as a significant ecological area.

- 2. The director, in developing such a report and recommendation, will consult with appropriate agencies and will compile the recommendations and comments of such agencies, including any recommendation of SEATAC. Developments which are located in the Malibu Coastal Zone which are in both a significant ecological area and a sensitive environmental resource area shall be evaluated by the ERB pursuant to the provisions of Part 6 of Chapter 22.44 in lieu of SEATAC to assure the protection of the resources contained in these areas.
- I. Findings and Decision. The hearing officer shall not approve an application for a conditional use permit-hillside management and significant ecological areas unless it finds that the proposal is consistent with the General Plan and:
- 1. In hillside management areas:
- a. That the burden of proof set forth in subsection F of this section has been met by the applicant, and
- b. That the approval of proposed dwelling units exceeding the number permitted by the low-density threshold for the proposed development in nonurban hillsides or the midpoint of the permitted density range in urban hillsides is based on the ability to mitigate problems of public safety, design and/or environmental considerations, as provided in this section and the General Plan;
- 2. In significant ecological areas, that the burden of proof set forth in subsection F has been met by the applicant.
- J. Conditions. Every conditional use permit-hillside management and significant ecological areas shall be subject to the following conditions. All of the following conditions shall be deemed to be conditions of every conditional use permit-hillside management and significant ecological areas, whether such conditions are set forth in the permit or not. The hearing officer, in granting the conditional use permit-hillside management and significant ecological areas, may impose additional conditions, but may not change or modify any of the following conditions except as otherwise provided herein and/or pursuant to the provisions of Part 2 of Chapter 22.56;
- 1. Hillside Management Areas.
- a. Open Space. Open space shall comprise not less than 25 percent of the net area of a residential development in an urban hillside management area, and not less than 70 percent of the net area of a residential development in a nonurban hillside management area. Subject to the approval of the hearing officer, such open space may include one or more of the following:
- i. Undisturbed natural areas,
- ii. Open space for passive recreation,
- iii. Private yards, provided that certain construction rights are dedicated,
- iv. Parks and open recreational areas,
- v. Riding, hiking and bicycle trails,
- vi. Landscaped areas adjacent to streets and highways.
- vii. Greenbelts,
- viii. Areas graded for rounding of slopes to contour appearance,
- ix. Such other areas as the hearing officer deems appropriate;
- b. Landscaping. Where appropriate, a plan for landscaping common or open space areas not to be left in a natural state shall be submitted to and approved by the hearing officer. Where a landscaping plan has not been submitted to the hearing officer as part of this application, said plan shall be submitted to and approved by the director prior to the issuance of any grading or building permit. Appeal of the director's decision shall be as provided in Section 22.56.1750;
- c. Utilities. The applicant shall submit to the hearing officer, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to install underground all new facilities necessary to furnish service in the development. This requirement may be waived where it would cause undue hardship or constitute an unreasonable requirement;
- d. Residential Density. The hearing officer shall, as a condition of approval, designate the maximum number of dwelling units permitted in a residential development as follows:
- i. In urban hillside management areas, a number between the midpoint and the maximum number of dwelling units permitted by the range of densities established by an adopted areawide, community or specific plan covering the areas in which the proposed development is located. Where there is no adopted areawide, community or specific plan, the applicable density range should be established by the land use policy map of the General Plan, but not to exceed the

number permitted by this Title 22;

- ii. In nonurban hillside management areas, a number between the low-density threshold and the maximum number of dwelling units established for such property pursuant to subsection E of this section, but not to exceed the number permitted by this title 22;
- e. Architectural Features. Where not submitted to the hearing officer as part of this application, exterior elevation drawings indicating building heights and major architectural features shall be submitted to and approved by the director prior to the issuance of any building permit. Appeal of the director's decision shall be as provided in Section 22.56.1750.
- 2. Significant Ecological Areas. The hearing officer shall, as a condition of approval, require that the proposed development plan incorporates those measures necessary to protect identified resources and meet the burden of proof described in subsection F of this section. (Ord. 98-0001 § 1, 1998; Ord. 92-0037 § 7, 1992; Ord. 85-0195 § 14 (part), 1985; Ord. 84-0160 § 1, 1984; Ord. 82-0086 § 1, 1982; Ord. 82-0003 § 1, 1982.)

8. Section 504 Self-Evaluation. This document is required for each applicant/joint applicant.

Jurisdiction: Community Development Commission of the County of Los Angeles

Date: July 10,2009

AREAS DISCUSSED				PROBLEMS IDENTIFIED	MODIFICATIONS MADE
COMMUNICATIONS: Program Pu	blicity	<u>′</u>			
Public Notices and ads in newspaper?	\boxtimes	yes	☐ no		
Public Service Announcements?	\boxtimes	yes	☐ no		
Posters or fliers?	\boxtimes	yes	☐ no		
Letters to homeowners in area?	\boxtimes	yes	☐ no		
Informational public meetings?	\boxtimes	yes	☐ no		
Interpreters, readers, or TDD's available upon request?	\boxtimes	yes	□ no		
Equal Opportunity statement in ads, fliers, and letters?		yes	☐ no		
EMPLOYMENT:					
Does the City make reasonable accommodation to known physical or mental limitations of qualified applicants or employees with disabilities?	\boxtimes	yes	□ no		
Pre-employment inquiries and tests do not screen out disabled persons?	\boxtimes	yes	□ no		
PROGRAM ACCESSIBILITY	<u>:</u>				
Are City/County facilities accessible to and usable by individuals with disabilities (e.g., ramps, space at meetings)?	\boxtimes	yes	☐ no		
Disability modifications offered in the rehabilitation program?	\boxtimes	yes	☐ no		
Disabled individuals with limited mobility assisted with applications at their homes?		yes	☐ no		
ENFORCEMENT - Evaluate how policies meet	504 r	<u>equire</u>	ments:		
Statement of Assurances in grant applications?	\boxtimes	yes	☐ no		
Non-discrimination clause in deed of trust?	\boxtimes	yes	☐ no		
Names of Advisors on Disabled issues: (this is re	quire	d)			
Becky Yee Tomas Lo	pez				
Does the City/County have procedures for complaints?		yes	☐ no		_
Is a log maintained of any complaints?	\boxtimes	yes	☐ no		

Name of Section 504 Coordinator: <u>Becky Yee</u>

Signature:		
_	2009 HERA/NSP	

9. NEPA Determination of Exemption. This document is required.

If the proposed activity will include general administration, engineering, architectural, or other related services prior to project implementation, the jurisdiction must prepare a Determination of Exemption before beginning work on any of these services. (Such services are exempt under 24 CFR Part 58.34 of the federal environmental regulations pertaining to NSP recipients). These regulations can be located at http://edocket.access.gpo.gov/cfr_2007/aprqtr/pdf/24cfr58.34.pdf.

Statutes and regulations listed at 24 CFR 58.6 must also be addressed for <u>every</u> exempt activity.

The State NSP has adopted HUD's recommended formats for NEPA determinations.

Following this page is the NEPA Determination of Exemption for General Administrative activities only. Applicants must complete the document and secure the required signatures. The completed and signed form must be included with this NSP Application.

For additional exempt activities, please complete separate NEPA Determination of Exemption forms and submit them with this application.

Note: Additional environmental review documents will be required after contract execution for other phases of project implementation.

California Department of Housing and Community Development Neighborhood Stabilization Program (NSP)



NEPA Determination of Exemption

Gra	intee:	Community Development Commission Grant Number:
pro	vision	r the applicable requirements of §58.6, the responsible entity does not have to comply with other s of law or authorities cited in §58.5. Below, please check the applicable activity(ies) to be sted, which are considered exempt per §58.34(a):
П	(1)	Tenant-based rental assistance;
	` '	Environmental and other studies, resource identification and the development of plans and strategies;
_	` '	Information and financial services;
$\overline{\boxtimes}$	` '	Administrative and management activities;
=	(5)	Public services that will not have a physical impact or result in any physical change, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
	(6)	Inspections and testing of properties for hazards or defects;
	(7)	Purchase of insurance;
	(8)	Purchase of tools;
	(9)	Engineering or design costs;
	(10)	Technical assistance and training;
	` '	Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from disasters, imminent threats or physical deterioration;
	(12)	Payment of principal and interest on loans made or obligations guaranteed by HUD;
	. ,	Any of the categorical exclusions listed in §58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in §58.5. (This is determined by completing the site-specific <i>Statutory Worksheet</i> form, which identifies the status of ALL compliance factors as "A".)
		Statutes and Regulations listed at §58.6 - Other Requirements
		DD INSURANCE / FLOOD DISASTER PROTECTION ACT
(1)	Does home	the project involve the acquisition, construction or rehabilitation of structures, buildings or mobile s?
	□ N	o. Flood insurance is not required. The review of this factor is completed. Skip to Section B. Coastal Barriers Resources Act.
	X Y	es. Continue to question 2.
(2)	Is the	structure or part of the structure located in a FEMA-designated Special Flood Hazard Area?
	⊠ N	o. Cite Source Document (FEMA/FIRM floodplain zone designation, map panel number, date or other credible source)
		Flood insurance is not required. The review of this factor is completed. Skip to Section B. Coastal Barriers Resources Act.
	Y6	es. Cite Source Document (FEMA/FIRM floodplain zone designation, map panel number, etc.). Continue to question 3. 2009 HERA/NSP

(3)	Is the community participating in the National Flood Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?				
	Yes.	for the economic life of the pro	ional Flood Insurance Program must be ject in the amount of the total project co ust be kept in the Environmental Review	st. A copy of the flood	
	☐ No.	[Federal assistance may not	be used in the Special Flood Hazards	s Area.]	
D	CO461	AL DADDIEDS DESOLIDA	=		
	COASTAL BARRIERS RESOURCES ACT Does the project involve any one of the following uses of Federal assistance:				
(1)		•	improvement or rehabilitation of public fa	acilities:	
	- a	·	improvement or rehabilitation of residen		
		ood insurance for new or substa	antially improved structures;		
			finlet, shoreline or inshore areas?		
	☐ No.	Cite Source Documentation.			
		The review of this factor is con Clear Zones Disclosures.	npleted. Skip to Section C. Airport Run	way Clear Zones and	
	X Yes.	Continue to question 2.			
(2)	Is the project in an area along the Atlantic Coast, Gulf of Mexico, or Great Lakes?				
	No.	. Cite Source Documentation. <u>There are no Coastal Barrier Resources on the U.S. West Coast.</u> The review of this factor is completed. <i>Skip to Section</i> C. Airport Runway Clear Zones and Clear Zones Disclosures.			
	Yes.	Continue to question 3.			
(3)	le the nr	niect located in a coastal harrier	r resource designated on a FEMA map?		
(5)		•	•		
	MU.	Cite Source Documentation The review of this factor is completed. <i>Skip to Section</i> C. Airport Runway Clear Zones and Clear Zones Disclosures .			
	Yes. [Federal assistance may not be used in such an area.]				
C.	AIRPO	RT RUNWAY CLEAR ZONE	S AND CLEAR ZONES DISCLOSU	RES	
	Does the project involve the sale or acquisition of an existing building or property within a Civil Airport's				
()		unway Clear Zone, Approach Protection Zone or a Military Installation's Clear Zone?			
	☐ No.	Cite Source Documentation Project complies with 24 CFR 51.303(a)(3). The review of this factor is completed.			
	Yes.	Yes. Disclosure statement must be provided to buyer and a copy of the signed disclosure statement must be maintained in this project's Environmental Review Record [24 CFR 51.303(a)(3)].			
			Donald Dean	6/23/09	
Preparer Signature			Preparer Name	Date	
		-	·		
			Executive Director	7/10/09	
Responsible Entity Official's Signature			Title	Date	

ACTIVITY #1 - HERO HOMEBUYER LOAN PROGRAM

l.	Plea Che cate	of Funds. ase indicate the proposed ock only one eligible caregory. (Please see the list uses.)	tegory and ident	ify all applicat	ole uses within that
		Financing Mechanism (check all proposed u		teaorv)	
		Soft Seconds			yment Assistance
		☐ Mortgage Write-D	own	☐ Loan Los	s Reserves
		☐ Shared Equity Loa	ans	Other:	
		Foreclosed Homes/Re (check all proposed u	•		
		☐ Acquisition	Rehabilitati	on	Rental
		☐ Sale	☐ Homebuyer	Counseling	
		Landbanking (of forecl (check all proposed u	,	tegory)	
		☐ Acquisition	Landbankin	ng	Maintenance
		Demolition (of structure health, safety, and published)		ed and pose a t	hreat to human
		Redevelopment (of value (check all proposed u			
		☐ Acquisition	Redevelopr	ment	Rental
		☐ Sale	☐ New Const	ruction	
		Other: (describe)			

2. Total Budget for this Activity (including activity delivery). (Refer to instructions for required details.)

\$3,947,400

3. Description of Activity.

(Refer to instructions for **required** information.)
Please provide a detailed description of the proposed NSP activity.

HOUSING ECONOMIC RECOVERY HOMEOWNERSHIP (HERO) PROGRAM

Assistance for first time homebuyers to purchase foreclosed and abandoned homes

The HERO Program provides assistance to eligible homebuyers through first-time homebuyer assistance to stabilize communities within the Los Angeles Urban County that have the greatest need, and within 15 non-Urban County cities. The HERO Program has been designed to meet the needs first time homebuyers with low-, moderate- and middle-incomes who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance. The home can be a single family residence, condominium, townhouse dwelling, or manufactured home attached to a permanent foundation and classified as real property. The home must be vacant and foreclosed upon or abandoned pursuant to program guidelines, and must be used as the principal residence of the homebuyer. Eligible homes must be located in specific target areas in the unincorporated areas of Los Angeles County, in a targeted city participating in the Los Angeles Community Development Block Grant (CDBG) Urban County Program, or in one of the 15 non-Urban County cities.

This program will provide secured loans as follows:

- a. Homebuyers with household incomes that do not exceed 80% of area median income up to \$75,000.
- b. Homebuyers with household incomes between 80% and 120% of area median income up to \$50,000.

The Commission will share the equity accumulated on the property at the time of resale, depending upon the circumstances that exist at the time of sale and federal requirements. The share will be based on the percentage of the original purchase price that was funded with NSP funds.

The Down Payment Assistance (DPA) is a component under the HERO PROGRAM for down payment and/or closing cost assistance to homebuyers in conjunction with their purchase of a home through the CDC's HERO Program. This program will provide a secured loan in the amount of up to \$10,000. There is no shared equity appreciation percentage for this loan.

The HERO Rehabilitation Grant component has been designed to provide rehabilitation assistance through grants for homebuyers in conjunction with their purchase of a home

through the CDC's HERO Program. See separate Form for HERO Rehabilitation Grants.

The homebuyer's purchase price must be at least 1% below the current market appraised value of the property pursuant to an appraisal dated within 60 days of the offer to purchase. The appraisal must conform to the requirements of 49 CFR 24.103. All eligible homebuyers must attend and complete at least 8 hours of homebuyer counseling from a HUD-approved housing counseling agency before obtaining a program loan. Eligible homebuyers must be first time homebuyers with household incomes that do not exceed middle-income (120% of area median income). The value of the home may not exceed the County's HOME maximum purchase price (currently \$493,000 for single family homes, \$394,250 for condominiums).

All loans will have no interest and will be secured by a Second Deed of Trust that is second in priority after the first Deed of Trust. All repayments to the Commission are deferred until sale, transfer, refinancing or full repayment of the first mortgage. Program applicants may apply for both types of assistance.

The Program's Target Areas are listed under Areas of Greatest Need that follows.

In order to meet the NSP statutory deadlines to expedite commitment and expenditure of program funds, the Commission's HERO Program Homebuyer Assistance will adopt the design and procedures of the Commission's HOME Ownership Program. This will include all relevant aspects that comply with 24 CFR 92.254, including continued affordability through the recapture option ensured by recorded covenants, a 20-year affordability term, zero interest deferred payment loans, HOME maximum sales price, affirmative marketing, environmental clearance, relocation, Commission's housing standards, and lead-based paint.

Marketing efforts for the HERO Program will include outreach to prospective homebuyers through the lending institutions in the CDC's current homebuyer programs, posting information on the CDC and the Count Housing Resources Center webpages, homebuyer education seminars, and housing fairs.

This activity meets the CDBG National Objective (Housing Activities) and NSP regulations by providing Homeownership Assistance directly to low-, moderate- and middle-income homebuyers. 24 CFR 570.208(a)(3), 24 CFR 570.201(n), and Section 2301(c)(3)(A) of the HERA Act and NSP regulations allowing loans as a financial mechanism for eligible homebuyers.

4. Areas of Greatest Need.

Please indicate the areas that have been determined to have the greatest need for this activity. Be as specific as possible (census tract, block group, ZIP code(s), neighborhood boundaries, etc.).

The areas of greatest need consist of the following:

CENTRAL AND SOUTH LOS ANGELES	NORTH COUNTY	SOUTHEAST & EAST COUNTY
Athens-West Athens-Westmont -U	East Antelope Valley-Lake Los Angeles/Roosevelt-U	Avocado Heights-Bassett-U
Bell city	Littlerock-Pearblossom-Sun Village-Longview/Llano-U	Hacienda Heights-U
Commerce city	Quartz Hill-Del Sur/Green Valley/Leona Valley-U	La Puente city
East Compton-U	South Antelope Valley-U	Rowland Heights-U
Florence-U	West Antelope Valley – Elizabeth Lake/Green Valley-U	South San Jose Hills-U
Graham-Firestone-U		Valinda-U
Hawaiian Gardens city	Castaic-Val Verde-U	West Puente Valley-U
Lawndale city	East Canyon Country – Lang/Sulphur Springs-U	
Maywood city	Oat Mountain-U	Azusa city
Walnut Park-U	West Canyon Country – Bouquet Canyon/Forrest park- U	Covina city
West Compton-U	West Santa Clarita Valley-Stevenson Ranch-U	Covina Islands – Citrus-U
Willowbrook-U		East Azusa Islands-U
	Altadena-U	Irwindale city
East Los Angeles-U		
	San Fernando city	La Mirada city
Lennox-U		Norwalk-Cerritos Islands-U
View Park-Windsor Hills-U		North Whittier-U
		South Whittier-U
		Diamond Bar city

In addition, the following 15 non-Urban County incorporated cities are included as target areas. These cities were listed as areas of greatest need under the State program and were eligible to apply for Tier 2 funding. Since they did not apply, their funding was rolled up to the County of Los Angeles and will now be target areas under the HERO program.

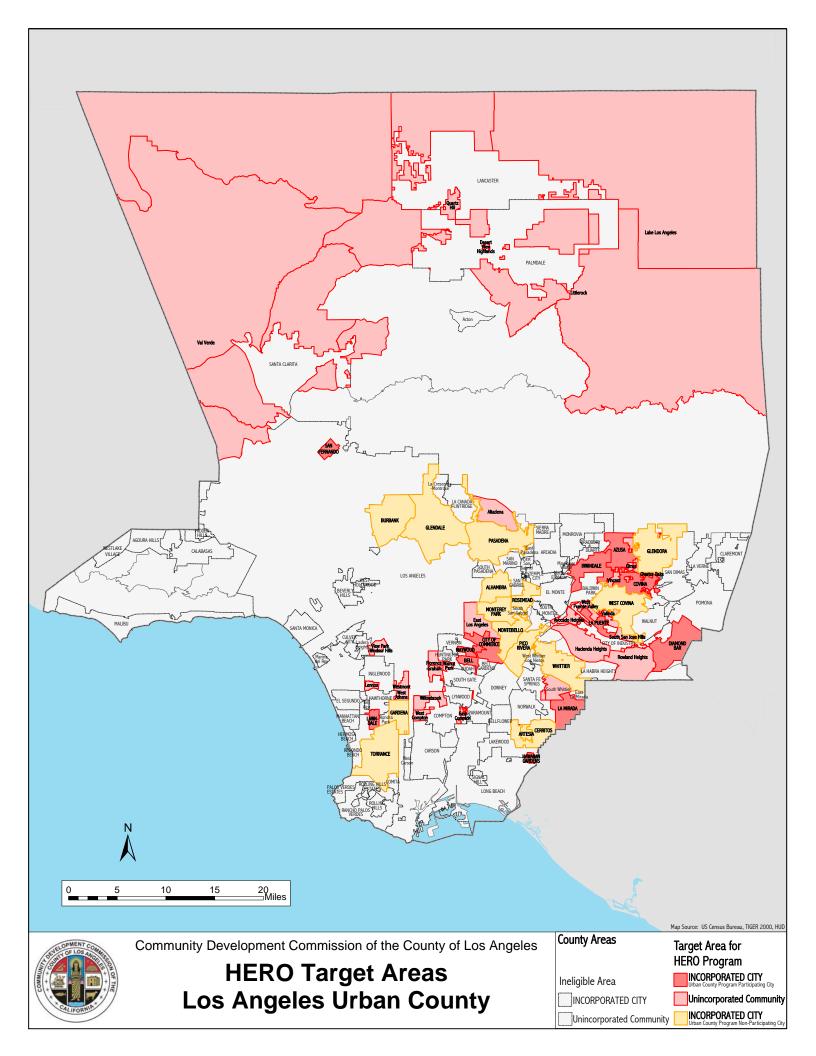
1 Alhambra	9. Monterey Park
2. Artesia	10. Pasadena
3. Burbank	11. Pico Rivera
4. Cerritos	12. Rosemead
5. Gardena	13. Torrance
6. Glendale	14. West Covina
7. Glendora	15. Whittier
8. Montebello	

a. Include a map that clearly identifies the proposed target area for this activity and the applicable boundaries.

In this application, the map is located on the next page.

ATTACHMENT 6:

Target Area Map



5. Determination of Greatest Need.

Please describe the methodology that was used to determine the areas(s) of greatest need.

The HERA statue indicates that grantees should give priority emphasis in targeting the funds that they receive to "those metropolitan areas, metropolitan cities, urban areas, rural areas, low- and moderate-income areas, and other areas with the greatest need, including those--

- (A) with the greatest percentage of home foreclosures;
- (B) with the highest percentage of homes financed by a subprime Mortgage related loan; and
- (C) identified by the State or unit of general local government as likely to face a significant—rise in the rate of home foreclosures."

LOS ANGELES URBAN COUNTY - AREAS OF GREATEST NEED

HUD has provided a table with data to assist grantees in determining target areas. This table provides data from four sources that are used to predict whether or not a neighborhood has a high or low risk for foreclosed and abandoned homes. The data used to calculate the risk scores included home price declines, high cost loan rates, unemployment rates, and vacancy rates.

HUD used the data to determine an "Estimated foreclosure abandonment risk score" which provides a score for each neighborhood from 0 to 10, where 0 indicates that the data suggest a very low risk and 10 suggest a very high risk.

HUD also used the data to arrive at a "Predicted 18 month underlying problem foreclosure rate" which does not provide the actual level of problem in each neighborhood, but rather indicate there is a risk for problems.

HUD Indicated that if a state or local government was looking for a place to start in considering how to target their funds, they may want to look at the neighborhoods with high risk scores. However, they also encouraged States and local governments to use other data, such as county records on foreclosure filings or tax foreclosures that may also point to areas with the greatest problems.

The County chose to use HUD's data as well as look at foreclosures and foreclosure rates in developing the target areas to carry out NSP activities.

The County chose to use HUD's estimated foreclosure abandonment risk scores and private data relative to foreclosures and foreclosure rates as a starting point and then compared relatively high risk scores with high cost loan data and the predicted 18

month underlying problem foreclosures rates provided by HUD. Together, these factors address the HERA requirements for targeting NSP funding.

Data for HUD's estimated abandonment risk scores, high cost loan data, predicted 18 month underlying problem foreclosure rates were provided at the census tract block group level and were rolled up to the community level.

The foreclosure data was also collected for each census tract block group and was obtained from Data Quick for 2007 and the 1st half of 2008. Data Quick also provided the number of properties in each census tract block group as of October 2008. Foreclosures and properties were rolled up to the community level for both incorporated (cities) and unincorporated areas. Once data was rolled up to the community level, the number of properties divided by the number of foreclosures was calculated to arrive at a foreclosure rate for each community.

Once the data was collected and tabulated, the County decided that each targeted area would need to include one or more of the following:

- (A) A risk score of 7 or more based on HUD's estimated foreclosure abandonment risk score
- (B) At least 100 foreclosures reported in 2007 and 1st half of 2008
- (C) At least a 2% foreclosure rate in 2007 and 1st half of 2008

The County chose to use a risk score of 7 or more because those scores also corresponded to above average high cost loan rates and above average predicated 18 month underlying problem foreclosure rates.

For example, the average high cost loan rate throughout the Los Angeles Urban County was 19% and areas with risk scores of 7 or more had high cost loan rates of at least 25%. Also, the average predicated 18 month underlying problem foreclosure rate for the Los Angeles Urban County was 6% and all areas with risk scores of 7 or more had a predicted 18 month underlying problem foreclosure rate of at least 7%. Thirty-two (32) areas out of the 113 communities in the Los Angeles Urban County were included based on this approach.

Then, the County wanted to make sure that HUD's risk scores were accurate and corresponded to actual foreclosure data. For the most part they were consistent; however, some areas that did not have risks score above 7 had relatively high foreclosures and foreclosures rates.

Therefore, the County decided to include areas that had at least 100 foreclosures and at least a 2% foreclosure rate. Note that the average number of foreclosures was 54 and the average foreclosure rate was 1.28% overall for the Los Angeles Urban County. This approach allowed some communities that didn't necessarily have high risk scores but had a relatively high number of foreclosures or foreclosures rates to be included as target areas. Twelve (12) additional target areas were included based on this approach.

Altogether, 44 target areas were identified. The target areas are identified above and are grouped geographically by color.

As discussed above, the County is adding 15 non-Urban County cities. The State identified these cities as areas of greatest need and, as such, they will be included as target areas for the HERO program.

a. Identify the data sources that were used to develop the methodology. *Attach documentation.*

See above under methodology that discusses the various data sources.

In this application, the documentation is located on the next page.

Included is a list of communities in the Los Angeles Urban County as well as the data used to determine the Los Angeles Urban County target areas such as HUD's risk scores and Data Quick's foreclosure data.

ATTACHMENT 7:

Documentation of Target Area Data Sources

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TARGETING DATA COMMUNITIES IN THE LOS ANGELES URBAN COUNTY RANKED BY HUD'S ESTIMATED FORECLOSURE ABANDONMENT RISK SCORE

	Addresses A	Addresses B	Addresses C	Da	Data Quick REO Data	
Community	HUD's Estimated	45:U A CMU 9'CIII	HUD's Pred. 18 month	Loto Total	PO's Minmbor of	DQ's Percent of
	rorectosure aband.	Cost Loan Rate	foreclosure rate	Foreclosures 2007 &	Properties as	& 1st half of 2008
	average)	(19% = average)	(6% = average)	1st Half of 2008	<u>∞</u>	(1.28% = average)
EAST ANTELOPE VALLEY - LAKE LOS ANGELES/ROOSEVELT -U	6			304	4596	6.61%
LITTLEROCK-PEARBLOSSOM-SUN VILLAGE - LONGVIEW/LLANO -U	o	38%	%6	246	4808	5.12%
QUARTZ HILL - DEL SUR/GREEN VALLEY/LEONA VALLEY -U	8	30%	%2	334	7031	4.75%
SOUTH ANTELOPE VALLEY -U	8	34%	%8	239	3807	6.28%
WILLOWBROOK -U	8	46%	10%	184	7369	2.50%
ATHENS-WEST ATHENS-WESTMONT -U	8	42%	%6	148	6214	2.38%
GRAHAM - FIRESTONE - SUP DIST 1 & 2 -U	8	43%	10%	63	3893	2.39%
SOUTH SAN JOSE HILLS -U	8	34%	%8	68	3092	2.88%
FLORENCE - SUP DIST 1 & 2 -U	8	41%	%6	28	3961	1.97%
SOUTH WHITTIER - SUP DIST 1 & 4 -U	7	27%	7%	179	10902	1.64%
Azusa city	7	29%	7%	158	9002	1.76%
LAST COS ANGECES - DECYEDENCIOTI TENNASCE/EASTMONT - O	,	32%	%8	120	7180	1 71%
cal defice dity	, 2	34%	%8	107	4172	2.56%
COVINA ISLANDS - CITRUS - SUP DIST 5 -U		25%	%2	100	5562	1.80%
Hawaiian Gardens city	7	34%	%8	89	2204	4.04%
Lawndale city	7	76%	%2	74	5058	1.46%
WEST PUENTE VALLEY -U	7	32%	8%	20	4363	1.60%
EAST AZUSA ISLANDS - SUP DIST 1 & 5 -U	7	76%	%/	99	3967	1.64%
EAST COMPTON -U	7	41%	%6	63	2142	2.94%
VALINDA -U	7	30%	2%	49	3336	1.47%
VIEW PARK-WINDSOR HILLS -U	7	25%	2%	49	3894	1.26%
Bell city	7	73%	%8	47	3400	1.38%
WALNUT PARK -U	7	30%	2%	35	2454	1.43%
Maywood city	7	31%	8%	31	2731	1.14%
AVOCADO HEIGHTS-BASSETT -U	7	28%	2%	28	3486	0.80%
WEST COMPTON -U	7	40%	%6	25	1291	1.94%
LENNOX -U	7	32%	%8	22	2056	1.07%
Commerce city	7	28%	%2	19	2122	%06.0
NORTH WHITTIER -U		32%	%8	13	807	1.61%
NORWALK-CERRITOS - ISLANDS -U		25%	%/	7 7	//	2.60%
Il MIII date City	- ע	19%	%9	156	13192	1.18%
La Mirada city	2	19%	2%	153	13435	1.14%
ROWLAND HEIGHTS - SUP DIST 1 & 4 -U	2	17%	2%	144	11203	1.29%
WEST CANYON COUNTRY - BOUQUET CANYON/FORREST PARK -U	5	19%	%9	130	5376	2.42%
WEST SANTA CLARITA VALLEY - STEVENSON RANCH -U	5	13%	2%	115	5426	2.12%
HACIENDA HEIGHTS -U	9	19%	%9	190	15045	1.26%
Covina city	9	22%	2%	126	10553	1.19%
Diamond Bar city	4	15%	4%	194	17389	1.12%
CASTAIC-VAL VERDE -U	3	21%	%9	333	6040	5.51%
EAST CANYON COUNTRY - LANG/SULPHUR SPRINGS -U	5	18%	%9	27	949	2.85%
OAT MOUNTAIN -U	2	12%	5%	24	289	8.30%
WEST ANTELOPE VALLEY - ELIZABETH LAKE/GREEN VALLEY -U	က	28%	%/	34	1265	2.69%
WEST WHILLIER-LOS NIETOS - SUP DIST 1 & 4 -U	9	29%	%/	6/	5380	1.47%
ACTON-MINT CANTON - AGUA DULCE/LANEVIEW/VAGGUEZ NOCNG -U	9	20%	0%0	CQ.	3327	7.89%

7

TARGETING DATA COMMUNITIES IN THE LOS ANGELES URBAN COUNTY RANKED BY HUD'S ESTIMATED FORECLOSURE ABANDONMENT RISK SCORE

	Addresses A	Addresses B	Addresses C	Dar	Data Quick REO Data	
٠	HUD's Estimated		HUD's Pred. 18 month			DQ's Percent of
Community	foreclosure aband.	HUD's HMDA High	underlying problem		DQ's Number of	Foreclosures 2007
	risk score (5 =	Cost Loan Rate	foreclosure rate	Foreclosures 2007 &	Properties as	& 1st half of 2008
WEST CARSON - HARBOR GATEWAY - SUP DIST 2 & 4-U	9		6%	59	5778	1.02%
Santa Fe Springs city	9	27%	7%	48	3492	1.37%
Signal Hill city	9	21%	6%	42	2911	1.44%
SOUTH SAN GABRIEL -U	9	20%	%9	27	2164	1.25%
ALONDRA PARK -U	9	72%	7%	24	2044	1.17%
DEL AIRE -U	9	19%	%9	23	2654	0.87%
EAST SAN GABRIEL -U	9	13%	5%	23	4586	0.50%
Lomita city	9	13%	5%	22	4302	0.51%
CHARTER OAK - ISLANDS -U	9	18%	%9	21	2055	1.02%
Bell Gardens city	9	29%	8%	20	3143	0.64%
EAST LA MIRADA -U	9	19%	6%	19	2399	0.79%
LADERA HEIGHTS -U	9	19%	%9	18	2300	0.78%
LA RAMBLA -U	9	23%	%9	4	414	0.97%
GLENDORA ISLANDS -U	9	20%	6%	2	161	1.24%
NORTHEAST WHITTIER ISLANDS -U	9	19%	%9	2	353	0.57%
LAKEVIEW TERRACE - LAKEVIEW -U	9	32%	8%	0	10	%00'0
Claremont city	5	14%	4%	09	6268	%29.0
Monrovia city	5	16%	5%	59	8874	%99.0
MONROVIA-ARCADIA-DUARTE - ISLANDS -U	5	19%	9%	57	4779	1.19%
San Dimas city	5	16%	4%	54	6986	0.58%
Duarte city	5	21%	9%	20	5561	%06:0
San Gabriel city	5	14%	4%	43	8101	0.53%
West Hollywood city	5	10%	4%	43	7161	%09'0
LA CRESENTA-MONTROSE -U	5	11%	4%	40	5479	0.73%
La Verne city	5	14%	4%	37	8271	0.45%
NORTHWEST WHITTIER - SUP DIST 1& 4 -U	5	23%	6%	26	1700	1.53%
La Habra Heights city	5	13%	2%	16	1956	0.82%
Cudahy city	5	30%	8%	15	1139	1.32%
EAST PASADENA -U	2	14%	2%	10	2860	0.35%
LONG BEACH ISLANDS -U	5	13%	5%	∞ ι	545	1.47%
MUNITA CLAREMON I ISLANDS - SUP DIST 1 & 5 - U	သ	12%	5%	2	625	0.80%
WEST CIPLOWOMIT - SOT DISTINATION OF THE AST SAN DIMAS ISLANDS - I	. rc	15%	5%	o -	386	0.26%
EAST CARSON -U	2	14%	2%	0	3	0.00%
MARINA DEL REY - SUP DIST 2 & 4 -U	2	11%	4%	0	246	%00'0
Walnut city	4	12%	3%	49	8441	0.58%
Calabasas city	4	7%	4%	40	7105	0.56%
South El Monte city	4	28%	2%	38	2752	1.38%
Culver City city	4	11%	3%	35	11590	0.30%
Temple City city	4	12%	3%	35	9251	0.38%
La Canada Flintridge city	4	2%	4%	16	9629	0.24%
Malibu city	4	2%	3%	13	5012	0.26%
Sierra Madre city	4	%6	4%	11	3606	0.31%
Westlake Village city	4	%2	4%	11	3036	0.36%
AGOURA - CALABASAS - ADJACENT/CALABASAS HIGHLANDS -U	4	%8	4%	9	1631	0.37%
SOUTH SLOPE-SAN GABRIEL MTS -U	4	17%	2%	9	574	1.05%

TARGETING DATA COMMUNITIES IN THE LOS ANGELES URBAN COUNTY RANKED BY HUD'S ESTIMATED FORECLOSURE ABANDONMENT RISK SCORE

	Addresses A	Addresses B	Addresses C	Da	Data Quick REO Data	
	HUD's Estimated		HUD's Pred. 18 month			DQ's Percent of
Community	foreclosure aband.	HUD's HMDA High	underlying problem	DQ's Total	DQ's Number	Foreclosures 2007
	risk score (5 =	Cost Loan Rate	foreclosure rate	Foreclosures 2007 & 1st Half of 2008	Properties as	& 1st half of 2008
TOPANGA CANYON -U	4	7%	4%	5	2498	0.20%
El Segundo city	4	%6	4%	4	3744	0.11%
MALIBU ISLANDS -U	4	2%	3%	3	1761	0.17%
WESTFIELD -U	4	%9	4%	2	805	0.25%
WHITTIER NARROWS -U	4	30%	2%	2	219	0.91%
FRANKLIN CANYON -U	4	2%	3%	0	3	%00'0
WEST POMONA ISLANDS -U	4	15%	2%	0	119	%00'0
Cerritos city	3	14%	4%	84	15332	0.55%
Agoura Hills city	3	10%	3%	55	6837	0.80%
Arcadia city	3	%6	3%	43	14927	0.29%
Hermosa Beach city	3	4%	3%	12	6236	0.19%
South Pasadena city	3	%9	2%	6	5932	0.15%
Beverly Hills city	3	4%	2%	9	8216	0.07%
Rolling Hills Estates city	3	4%	3%	3	2996	0.10%
San Marino city	3	4%	3%	2	4452	0.04%
Bradbury city	3	4%	3%	1	220	0.45%
Rolling Hills city	3	2%	3%	1	669	0.14%
CHANNEL ISLANDS -U	3	14%	2%	0	23	0.00%
WESTLAKE VILLAGE - TRIUNFO CANYON -U	3	4%	3%	0	3036	%00.0
Rancho Palos Verdes city	2	%9	2%	28	14614	0.19%
Manhattan Beach city	1	3%	1%	12	12243	0.10%
Notes:						
 The target areas are shaded light green. 						
2. The light yellow shaded cells means that the number or percent for a particular variable for that community falls below the Los Angeles Urban County average.	ar variable for that com	munity falls below the	Los Angeles Urban County	average.		
3. The light green shaded cells mean that the community's number of foreclosures was at least 100 or their foreclosure rate was at least 2%.	res was at least 100 or	their foreclosure rate v	was at least 2%.			

Affordability Provisions.

Please describe how the applicant will ensure continued affordability for NSP-assisted housing activities.

In order to meet the NSP statutory deadlines to expedite commitment and expenditure of program funds, the Commission's HERO Program Homebuyer Assistance will adopt the design and procedures of the Commission's HOME Ownership Program. This will include all relevant aspects that comply with 24 CFR 92.254, including continued affordability through the recapture option ensured by recorded covenants, a 20-year affordability term, zero interest deferred payment loans, HOME maximum sales price, affirmative marketing, environmental clearance, relocation, Commission's housing standards, and lead-based paint.

6. Proposed Number of Beneficiaries by Income Levels.

<u>Number of Households – (LMMH).</u> This chart is only applicable to activities that specifically benefit households (such as housing acquisition, rehabilitation, sale, housing rental, etc.) that are low-, moderate-, and middle-income.

Between 81% - 120% (Middle Income)	Between 51% - 80% (Moderate Income)	Between 31% - 50% (Low Income)	30% - Below (Extremely Low Income)	TOTALS
Up to all units	Up to all units			43

It is anticipated that loans will be provided to 44 households with incomes that do not exceed 120% a.m.i. Therefore, household incomes may vary.

a. Number of Persons – (LMMA, LMMC). NOT APPLICABLE

Between 81% - 120% (Middle Income)	Between 51% - 80% (Moderate Income)	Between 31% - 50% (Low Income)	30% - Below (Extremely Low Income)	TOTALS (non- duplicated counts)
N/A	N/A	N/A	N/A	N/A

7.	Īr	ctivity Implementation ndicate the type of ent ctivity and eligible use	tity tha	ıt will ca	rry out the	implem	nentation of the proposed
		Jurisdiction		Consu	ltant		Combination of jurisdiction/consultant
	c)R					
		Another unit of local government		Anothe	er public y		Non-profit
		For-profit		Faith-l			Other:
	а						ation for the entity ed activity and eligible
	Org	anization/Agency:				•	elopment Commission Los Angeles
	Cor	ntact Person:			Linda Jen	kins	
	Cor	ntact Title:			Manager		
	Add	dress:			2 Coral Ci	ircle	
	City	//State/Zip			Monterey	Park, (CA 91755
	Tel	ephone:			(323) 890	-7168	
	E-N	lail Address:			<u>Linda.Jen</u>	kins@l	acdc.org
	FAX	(Number:			(323) 890	-8595	

Note: Joint applicants that have other jurisdictions implementing this activity will need to copy the table above and provide all contact information for each applicable jurisdiction.

8. Capacity to Implement the Proposed Activity.

Please describe the capacity of <u>each</u> agency/organization that will implement the proposed activity. Indicate capacity level and years of experience for similar successful activities, other similar successful programs that have been implemented, etc.

OVERVIEW OF THE CDC

The Community Development Commission (CDC) serves as the County's affordable housing and community and economic development agency. The CDC's wide-ranging programs benefit residents and business owners in unincorporated County areas and in various incorporated cities that participate in different CDC programs.

The CDC administers the Los Angeles Urban County CDBG Entitlement Program on behalf of 47 participating cities and the unincorporated area. Approximately one million of the County's ten million residents live in unincorporated areas, and another 1.25 million are in the participating cities. Administration and oversight is conducted by the CDC's CDBG Division, which will also oversee all NSP funds it receives.

The CDC provides affordable housing to low and moderate-income residents of the County, with the bulk of the housing activities located in the unincorporated areas and the participating cities in the Urban County. The CDC's Housing Development and Preservation Division takes the lead in administering CDC housing activities and the County's HOME Program since it started in 1992.

HOUSING DEVELOPMENT AND PRESERVATION DIVISION (HDP)

The Housing Development and Preservation Division is currently administering the County's NSP1 programs and will also administer any State NSP funds that are awarded. The County has also applied to HUD for its competitive NDP2 funds.

The mission of the Housing Development and Preservation Division (HDP) is to help develop and rehabilitate affordable housing for renters, homeowners and special needs populations. HDP staff administers federal, state and local financing programs available to private developers, income-eligible homeowners, and nonprofit organizations.

This Division provides a variety of housing programs such as First-Time Home Ownership Program; the Single Family Rehabilitation Grant and Loan Program; the Residential Sound Insulation Program; and for private and nonprofit developers we have loan programs and bonds for construction of affordable single and multifamily housing as well as special needs projects.

For first-time homebuyers, the CDC offers financial assistance with down payment assistance loans including closing cost assistance, federal income tax credits, and below market rate loan programs. CDC offers the Housing Economic Recovery

Ownership (HERO), HOME Ownership Program (HOP), and the Mortgage Credit Certificate Program (MCC).

As reflected in the most recent Urban County CAPER for 2007-2008, the HD&P Division completed 1,642 affordable housing units in a 12-month period as follows:

Rehabilitation	-	Single Family homes	720
		Multifamily units	416
New Construction	-	Single Family homes	103
		Multifamily rental units	325
Homebuyers	-	Assisted	78

9. Activity Timeline.

Include the anticipated start and end dates of each eligible use as well as the total proposed timeframe for activity implementation.

Eligible Use	Proposed Start Date	Proposed End Date	Total Timeframe (in months)
HERO homebuyer program acquisition loans	Date HCD Agreement is signed	6-30- 2010	10 months

Applicant: Community Development Commission of the County of Los Angeles

Activity: HERO Homebuyer Loans

10. PROJECTED USED/OBLIGATED MILESTONE CHART.

List all major tasks. Identify when funds are projected to be used/obligated and how much funding is projected to be used/obligated for those activities. (Do NOT include general administrative costs.)

	2008 – 2009		2009 -	2009 – 2010	
Major Tasks: (identify below)	April - June	July – Sept.	Oct Dec.	Jan Mar.	April - June
File Application with HCD		7-15-09			
Market HERO-State Program		Start 7-15-09			
Sign Agreement with HCD		8-15-09 est.			
Review and process homebuyer loan applications		Start when HCD agreement is signed			
Commit loan amount for % of applicants - \$2,960,550			By 12-31-09		
Commit loans for final ¼ of applicants - \$986,850				By 3-31-10	

NOTE:

- 75 percent of all NSP funds must be used/obligated by December 31, 2009; and
 - 100 percent of all NSP funds must be used/obligated by March 31, 2010.

Applicant: Community Development Commission of the County of Los Angeles

Activity: HERO Homebuyer Loans

PROJECTED EXPENDITURE MILESTONE CHART.

List all major tasks. Identify when funds are projected to be expended for those activities and the dollar amount projected to be expended. (Do NOT include general administrative costs.)

Jan April - July - Oct Jan April - July - Continue in First quarter
April - July - Oct Jan June Sept. Dec. Mar.

NOTE:

• 100 percent of all NSP funding must be expended by September 30, 2011.

12. Environmental Clearance.

What is the anticipated level of environmental clearance under the National Environmental Policy Act (NEPA) for each eligible use that is being proposed under this activity?

a. Does the grantee anticipate encountering any environmental concerns that may cause activity implementation to be delayed? (Please describe)

No. We have started implementing our HUD NSP formula grant and have not encountered any environmental concerns.

13. Readiness.

Please describe the status of applicable readiness factors for each proposed eligible use, which demonstrate the applicant's ability to begin implementation expeditiously.

(Please add other factors, as appropriate.)

ENVIRONMENTAL Clearance by State NSP (Identify each eligible use and the specific environmental clearance activities.)	STATUS (What has been done up to this point?)	COMPLETED? (Yes, No, N/A)
1. Acquisition-Single-Family		
Categorical Exclusion subject to 58.5	Forms are prepared	N/A
Rehabilitation Environmental Review	Form has been prepared and signed.	Yes
Project Description	Done.	Yes
2. Rehabilitation-Single-Family		
Categorical Exclusion subject to 58.5	Forms are prepared.	N/A
Rehabilitation Environmental Review	Form has been prepared and signed.	Yes
SHPO Programmatic Agreement	Received.	Yes
NOI/RROF	ROF Received from HUD.	Yes
3.		
4.		

SPECIAL CONDITIONS	STATUS (What has been done up to this point?)	COMPLETED? (Yes, No, N/A)
NSP Program Income Reuse Plan completed	Completed	Yes
NSP Program Income Reuse Plan approved by Board Resolution (after proper citizen participation)	In-Progress – Planned to be approved on 7/7/09.	In-Progress
Evidence of Public Hearing for NSP Program Income Reuse Plan	In-Progress	In-Progress
Rehabilitation Program Guidelines completed and approved	For HERO NSP1 program	Yes
Homebuyer Assistance Program Guidelines completed and approved	For HERO NSP1 program	Yes
Anti-Displacement and Relocation Assistance Plan	Completed	Yes

Other Factors	STATUS (What has been done up to this point?)	COMPLETED? (Yes, No, N/A)
Waiting List – Eligible Participants		N/A
Waiting List – Eligible and Prequalified Participants		N/A
Program Marketing Materials	Continuing HERO NSP1 materials	Yes
List of Potential Bidders		N/A
All Financing Secured		N/A

ACTIVITY #2 - HERO HOMEBUYER REHABILITATION PROGRAM

Plea Che cate	of Funds. ase indicate the propose ck only one eligible ca egory. (Please see the se uses.)	ntegory and iden	tify all applica	ble uses within that
	Financing Mechanisn (check all proposed to		iteaory)	
	Soft Seconds		_	ayment Assistance
	☐ Mortgage Write-D	Down	Loan Los	ss Reserves
	☐ Shared Equity Lo	ans	Other:	
	Foreclosed Homes/Re (check all proposed to	-		
	Acquisition		ion	Rental
	☐ Sale	☐ Homebuye	r Counseling	
	Landbanking (of fored (check all proposed to	,	itegory)	
	Acquisition	Landbankii	ng	Maintenance
	Demolition (of structure health, safety, and pure		ed and pose a	threat to human
	Redevelopment (of va (check all proposed u			
	Acquisition	Redevelop	ment	Rental
	☐ Sale	☐ New Const	ruction	
	Other: (describe)			

2. Total Budget for this Activity (including activity delivery). (Refer to instructions for required details.)

\$616,545

3. Description of Activity.

(Refer to instructions for **required** information.)
Please provide a detailed description of the proposed NSP activity.

HOUSING ECONOMIC RECOVERY HOMEOWNERSHIP (HERO) PROGRAM

Assistance for first time homebuyers to purchase foreclosed and abandoned homes

The HERO Program provides assistance to eligible homebuyers through first-time homebuyer assistance to stabilize communities within the Los Angeles Urban County that have the greatest need, and within 15 non-Urban County cities. The HERO Program has been designed to meet the needs first time homebuyers with low-, moderate- and middle-incomes who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance. The home can be a single family residence, condominium, townhouse dwelling, or manufactured home attached to a permanent foundation and classified as real property. The home must be vacant and foreclosed upon or abandoned pursuant to program guidelines, and must be used as the principal residence of the homebuyer. Eligible homes must be located in specific target areas in the unincorporated areas of Los Angeles County, in a targeted city participating in the Los Angeles Community Development Block Grant (CDBG) Urban County Program, or in one of the 15 non-Urban County cities.

The HERO Rehabilitation Grant component has been designed to provide rehabilitation assistance through grants for homebuyers in conjunction with their purchase of a home through the CDC's HERO Program. After completion of the purchase, the program assistance in an amount not to exceed \$24,999 must be used to rehabilitate the home to a decent, safe, and habitable condition in accordance with program standards. The value of the home after completion of the rehabilitation may not exceed the County's HOME Program Maximum Purchase Price (currently \$493,000 for single family homes, \$394,250 for condominiums).

Marketing efforts for the HERO Program will include outreach to prospective homebuyers through the lending institutions in the CDC's current homebuyer programs, posting information on the CDC and the Count Housing Resources Center webpages, homebuyer education seminars, and housing fairs.

This activity meets the CDBG National Objective (Housing Activities) and NSP regulations by providing Homeownership Assistance directly to low-, moderate- and middle-income homebuyers. 24 CFR 570.208(a)(3), 24 CFR 570.201(n), and Section 2301(c)(3)(A) of the HERA Act and NSP regulations allowing loans as a financial mechanism for eligible homebuyers.

4. Areas of Greatest Need.

Please indicate the areas that have been determined to have the greatest need for this activity. Be as specific as possible (census tract, block group, ZIP code(s), neighborhood boundaries, etc.).

See information set forth in the HERO Homebuyer Loan description. The target areas are the same.

5. Determination of Greatest Need.

Please describe the methodology that was used to determine the areas(s) of greatest need.

See information set forth in the HERO Homebuyer Loan description. The target areas are the same.

Affordability Provisions.

Please describe how the applicant will ensure continued affordability for NSP-assisted housing activities.

In order to meet the NSP statutory deadlines to expedite commitment and expenditure of program funds, the Commission's HERO Rehabilitation Grant Program will adopt the design and procedures of the Commission's HOME Ownership Program. This will include all relevant aspects that comply with 24 CFR 92.254, including continued affordability through the recapture option ensured by recorded covenants, a 20-year affordability term, zero interest deferred payment loans, HOME maximum sales price, affirmative marketing, environmental clearance, relocation, Commission's housing standards, and lead-based paint.

6. Proposed Number of Beneficiaries by Income Levels.

<u>Number of **Households** – (LMMH).</u> This chart is only applicable to activities that specifically benefit households (such as housing acquisition, rehabilitation, sale, housing rental, etc.) that are low-, moderate-, and middle-income.

Between 81% - 120% (Middle Income)	Between 51% - 80% (Moderate Income)	Between 31% - 50% (Low Income)	30% - Below (Extremely Low Income)	TOTALS
Up to all units	Up to all units			21

It is anticipated that grants will be provided to 21 households with incomes that do not exceed 120% a.m.i. Therefore, household incomes may vary.

b. <u>Number of **Persons** – (LMMA, LMMC).</u> NOT APPLICABLE

Between 81% - 120% (Middle Income)	Between 51% - 80% (Moderate Income)	Between 31% - 50% (Low Income)	30% - Below (Extremely Low Income)	TOTALS (non- duplicated counts)
N/A	N/A	N/A	N/A	N/A

7.	Ir	ctivity Implementation addicate the type of ent ctivity and eligible use	ity tha	it will carry out the i	mplem	nentation of the proposed
[Jurisdiction		Consultant		Combination of jurisdiction/consultant
	0	R				
[Another unit of local government		Another public agency		Non-profit
[For-profit		Faith-based organization		Other:

b. <u>Contact Information.</u> Provide the contact information for the entity responsible for the implementation of the proposed activity and eligible uses.

Organization/Agency:	Community Development Commission of the County of Los Angeles
Contact Person:	Linda Jenkins
Contact Title:	Manager
Address:	2 Coral Circle
City/State/Zip	Monterey Park, CA 91755
Telephone:	(323) 890-7168
E-Mail Address:	Linda.Jenkins@lacdc.org
FAX Number:	(323) 890-8595

Note: Joint applicants that have other jurisdictions implementing this activity will need to copy the table above and provide all contact information for each applicable jurisdiction.

8. <u>Capacity to Implement the Proposed Activity.</u>

Please describe the capacity of <u>each</u> agency/organization that will implement the proposed activity. Indicate capacity level and years of experience for similar successful activities, other similar successful programs that have been implemented, etc.

OVERVIEW OF THE CDC

The Community Development Commission (CDC) serves as the County's affordable housing and community and economic development agency. The CDC's wide-ranging programs benefit residents and business owners in unincorporated County areas and in various incorporated cities that participate in different CDC programs.

The CDC administers the Los Angeles Urban County CDBG Entitlement Program on behalf of 47 participating cities and the unincorporated area. Approximately one million of the County's ten million residents live in unincorporated areas, and another 1.25 million are in the participating cities. Administration and oversight is conducted by the CDC's CDBG Division, which will also oversee all NSP funds it receives.

The CDC provides affordable housing to low and moderate-income residents of the County, with the bulk of the housing activities located in the unincorporated areas and the participating cities in the Urban County. The CDC's Housing Development and Preservation Division takes the lead in administering CDC housing activities and the County's HOME Program since it started in 1992.

HOUSING DEVELOPMENT AND PRESERVATION DIVISION (HDP)

The Housing Development and Preservation Division is currently administering the County's NSP1 programs and will also administer any State NSP funds that are awarded. The County has also applied to HUD for its competitive NDP2 funds.

The mission of the Housing Development and Preservation Division (HDP) is to help develop and rehabilitate affordable housing for renters, homeowners and special needs populations. HDP staff administers federal, state and local financing programs available to private developers, income-eligible homeowners, and nonprofit organizations.

This Division provides a variety of housing programs such as First-Time Home Ownership Program; the Single Family Rehabilitation Grant and Loan Program; the Residential Sound Insulation Program; and for private and nonprofit developers we have loan programs and bonds for construction of affordable single and multifamily housing as well as special needs projects.

For first-time homebuyers, the CDC offers financial assistance with down payment assistance loans including closing cost assistance, federal income tax credits, and

below market rate loan programs. CDC offers the Housing Economic Recovery Ownership (HERO), HOME Ownership Program (HOP), and the Mortgage Credit Certificate Program (MCC).

As reflected in the most recent Urban County CAPER for 2007-2008, the HD&P Division completed 1,642 affordable housing units in a 12-month period as follows:

Rehabilitation	-	Single Family homes	720
		Multifamily units	416
New Construction	-	Single Family homes	103
		Multifamily rental units	325
Homebuyers	-	Assisted	78

9. Activity Timeline.

Include the anticipated start and end dates of each eligible use as well as the total proposed timeframe for activity implementation.

Eligible Use	Proposed Start Date	Proposed End Date	Total Timeframe (in months)
HERO homebuyer program rehabilitation grants	Date HCD Agreement is signed	6-30- 2010	10 months

Applicant: Community Development Commission of the County of Los Angeles Rehabilitation Grants

Activity: HERO Homebuyer Program -

10.

PROJECTED USED/OBLIGATED MILESTONE CHART.

List all major tasks. Identify when funds are projected to be used/obligated and how much funding is projected to be used/obligated for those activities. (Do NOT include general administrative costs.)

	2008 – 2009		2009 -	2009 – 2010	
Major Tasks: (identify below)	April - June	July – Sept.	Oct Dec.	Jan Mar.	April - June
File Application with HCD		7-15-09			
Market HERO-State Program		Start 7-15-09			
Sign Agreement with HCD		8-15-09 est.			
Review and process homebuyer loan/grant		Start when HCD agreement is signed			
Commit loan and grant amount for ¾ of applicants - \$462,409			By 12-31-09		
Commit loans for final 1/4 of applicants - \$154,136				By 3-31-10	

NOTE

- 75 percent of all NSP funds must be used/obligated by December 31, 2009; and
 - 100 percent of all NSP funds must be used/obligated by March 31, 2010.

Applicant: Community Development Commission of the County of Los Angeles Program – Rehabilitation Grants

Activity: HERO Homebuyer

11. PROJECTED EXPENDITURE MILESTONE CHART.

List all major tasks. Identify when funds are projected to be expended for those activities and the dollar amount projected to be expended. (Do NOT include general administrative costs.)

Year:	2009		2009	2009-2010			2010-	2010-2011		2011	11
Major Tasks: (identify below)	April - June	July - Sept.	Oct Dec.	Jan Mar.	April - June	July - Sept.	Oct Dec.	Jan Mar.	April - June	July - Sept.	Oct Dec.
Start and finish rehab work after escrow closes for first homebuyers; spend rehab grant amount - \$462,409			Estimated start 12-15-09	Continue n First quarter 2010	Continue in Second quarter 2010						
Start and finish rehab work after escrow closes; spend rehab grants for final homebuyers - \$154,136				Continue in First quarter 2010	Continue in Second quarter 2010	Finish in Third quarter 2010					

NOTE:

100 percent of all NSP funding must be expended by September 30, 2011.

12. Environmental Clearance.

What is the anticipated level of environmental clearance under the National Environmental Policy Act (NEPA) for each eligible use that is being proposed under this activity?

b. Does the grantee anticipate encountering any environmental concerns that may cause activity implementation to be delayed? (Please describe)

No. We have started implementing our HUD NSP formula grant and have not encountered any environmental concerns.

13. Readiness.

Please describe the status of applicable readiness factors for each proposed eligible use, which demonstrate the applicant's ability to begin implementation expeditiously. (Please add other factors, as appropriate.)

ENVIRONMENTAL Clearance by State NSP (Identify each eligible use and the specific environmental clearance activities.)	STATUS (What has been done up to this point?)	COMPLETED? (Yes, No, N/A)
1. Acquisition-Single-Family		
Categorical Exclusion subject to 58.5	Forms are prepared	N/A
Rehabilitation Environmental Review	Form has been prepared and signed.	Yes
Project Description	Done.	Yes
2. Rehabilitation-Single-Family		
Categorical Exclusion subject to 58.5	Forms are prepared.	N/A
Rehabilitation Environmental Review	Form has been prepared and signed.	Yes
SHPO Programmatic Agreement	Received.	Yes
NOI/RROF	ROF Received from HUD.	Yes
1.		
2.		

SPECIAL CONDITIONS	STATUS (What has been done up to this point?)	COMPLETED? (Yes, No, N/A)
NSP Program Income Reuse Plan completed	Completed	Yes
NSP Program Income Reuse Plan approved by Board Resolution (after proper citizen participation)	In-Progress – Planned to be approved on 7/7/09.	In-Progress
Evidence of Public Hearing for NSP Program Income Reuse Plan	In-Progress	In-Progress
Rehabilitation Program Guidelines completed and approved	For HERO NSP1 program	Yes
Homebuyer Assistance Program Guidelines completed and approved	For HERO NSP1 program	Yes
Anti-Displacement and Relocation Assistance Plan	Completed	Yes

Other Factors	STATUS (What has been done up to this point?)	COMPLETED? (Yes, No, N/A)
Waiting List – Eligible Participants	N/A	N/A
Waiting List – Eligible and Prequalified Participants	N/A	N/A
Program Marketing Materials	Continuing HERO NSP1 materials	Yes
List of Potential Bidders	N/A	N/A
All Financing Secured	N/A	N/A